

# Official Gazette



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**MGA KAUTUSANG TAGAPAGPAGANAP, PAHAYAG AT  
KAUTUSANG PANGPANGASIWAAN**

(EXECUTIVE ORDERS, PROCLAMATIONS AND ADMINISTRATIVE ORDERS)

MALACAÑANG

RESIDENCE OF THE PRESIDENT OF THE PHILIPPINES  
MANILA

PRESIDENTIAL DECREE NO. 701

FURTHER AMENDING CERTAIN PROVISIONS OF  
THE REVISED PHILIPPINE HIGHWAY ACT, AS  
AMENDED BY PRESIDENTIAL DECREES NUM-  
BERED SEVENTEEN, ONE HUNDRED THIRTY,  
AND THREE HUNDRED TWENTY.

WHEREAS, Republic Act 917, otherwise known as the Philippine Highway Act of 1953, was previously amended by Presidential Decree Nos. 17, 130 and 320, for the purpose of providing among others, road maintenance funds for national, provincial, city and municipal roads;

WHEREAS, there is a need to adequately maintain Feeder or Farm-to-Market Roads, in order to facilitate the movement of goods and people, particularly agricultural products which are the life-blood of our economy;

WHEREAS, the Barangays are not financially capable of providing the required counterpart fund for the Maintenance of existing and unabandoned Feeder or Farm-to-Market Roads;

WHEREAS, road and bridge projects within barangay areas are generally provided with limited appropriations, and therefore necessitates assistance from the National Government, by subsidizing equipment rentals on barangay road and bridge projects where use of equipment is very necessary for the construction, improvement, and maintenance thereof;

WHEREAS, it is deemed appropriate and advantageous to the local community being the direct beneficiary of these projects if barangays be given the responsibility of maintaining all feeder or farm-to-market roads within their respective areas;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, in order to accelerate further the National economic development through effective highway administration by providing adequate maintenance of Feeder or Farm-to-Market Roads, do hereby decree and order;

SECTION 1. Sub-paragraph (d), Section 6, Article III of R. A. 917, as amended, is further amended to read as follows:

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"Section 6. Deductions for administrative expenses, preliminary engineering, contingent emergency expenditures, and discretionary fund.

\* \* \* \* \*

(d) Discretionary Fund.—Ten per centum of the Highway Special Fund shall be allotted to the Discretionary Fund under the control of the Secretary of Public Highways to be used; first, to augment any deficiency in the allotment for administrative expenses; for payment of gratuity benefits and the money value of accrued leaves; for payment of compensation benefits to employees who become sick and/or injured in the course of employment; second, to increase other allotments provided for in this Act third, to subsidize 50% of the expected equipment rental required to undertake the construction, improvement, and maintenance of selected feeder road and bridge projects within barangay areas where equipment use is very necessary as determined by the highway District/City Engineer concerned.

All unexpended portion of this fund shall be carried over to the next fiscal year for the same purpose."

SEC. 2. Section 8, Article IV of Republic Act 917, as amended, is hereby further amended to add one subparagraph to allocate maintenance funds for Feeder or Farm-to-Market Roads, to read as follows:

"Section 8. National Aid-Highway Maintenance Fund.—The apportionment for national aid for maintenance of local roads shall be determined as follows:

\* \* \* \* \*

(h) National aid for Feeder or Farm-to-Market Roads shall be ₱2,500.00 per physical Kilometer, whose existence is determined by the Barangay Council, recommended by the Highway District/City Engineer and approved by the Secretary of Public Highways or his designated representative."

SEC. 3. Section 10, Article IV of Republic Act 917, as amended, is hereby further amended by inserting the following:

"In the case of National Aid for Feeder or Farm-to-Market Roads as provided in Sub-paragraph (h) Section eight of this Act, it shall be released without requiring the counterpart funds, by the Secretary of Public Highways, thru the Highway District/City Engineer, to the Barangay officials concerned who has been duly authorized to handle public funds. In the absence of the duly authorized barangay official, it shall be released to the Municipal Treasurer concerned."

SEC. 4. All laws, rules and regulations inconsistent with the provisions of this decree are hereby amended, revoked, or modified accordingly.



SEC. 5. This decree shall take effect upon its approval.  
Done in the City of Manila, this 16th day of May, in the  
year of Our Lord, nineteen hundred and seventy-five

(Sgd.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

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MALACAÑANG

RESIDENCE OF THE PRESIDENT OF THE PHILIPPINES  
MANILA

PRESIDENTIAL DECREE No. 702

FURTHER AMENDING SECTION TWO OF PRES-  
IDENTIAL DECREE NUMBERED FOUR HUN-  
DRED AND FIFTY-EIGHT, AS AMENDED,  
CREATING THE DEPARTMENT OF PUBLIC  
HIGHWAYS.

WHEREAS, the construction, rehabilitation, betterment,  
improvement and maintenance of rural roads and bridges  
are of paramount importance, as they are the traffic gener-  
ators that provide the link to the main arteries of trans-  
portation from the rural to the urban areas;

WHEREAS, the speedy and efficient construction, reha-  
bilitation, betterment, improvement and maintenance of  
rural roads and bridges would create better incentive for  
the people particularly the farmers to increase their pro-  
duction output, as they would be assured of an adequate  
and convenient facilities for transport and for marketing  
their products;

WHEREAS, providing the people particularly those in the  
rural areas with adequate, safe and convenient facilities  
in transporting their products would stabilize and reduce  
prices of their commodities and thereby foster economic  
progress;

WHEREAS, there is at present no specific bureau of office  
under the Department of Public Highways, charged with  
the responsibility of formulating and developing policies,  
plans, programs and standards for the construction, reha-  
bilitation, betterment, improvement and maintenance of  
rural roads and bridges, and the same is being undertaken  
by different agencies;

WHEREAS, in order to insure a more integrated planning  
and programming scheme directed towards the establish-  
ment of an efficient transport system responsive to the

attainment of the economic development goals of the country, it is imperative that a specialized agency be created for this purpose.

NOW, THEREFOR, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and order:

SECTION 1. Section 2 of Presidential Decree No. 458, as amended, is hereby further amended to read as follows:

"SEC. 2. Organization of the Department of Public Highways.—The Department of Public Highways, hereinafter called the Department, shall be composed of a Department Proper made up of the immediate Office of the Secretary, the Planning Service, the Administrative Service, the Financial and Management Service, the Project Execution Service and the Special Projects Service; three bureaus, namely: (a) the Bureau of Construction and Maintenance, (b) the Bureau of Equipment, and (c) the Bureau of Barangay Roads; and the Regional and District Offices."

SEC. 2. *Functions of the Bureau of Barangay Roads.*—The Bureau shall essentially be a staff bureau performing advisory, consultative and specialized staff functions, shall coordinate with respect to the construction, rehabilitation, betterment, improvement and maintenance of barangay roads and bridges in so far as national funds are concerned; shall formulate and develop for the Secretary, policies, plans, programs and standards for the construction, rehabilitation, betterment, improvement and maintenance of barangay roads and bridges within a province, city, municipality and barangay.

SEC. 3. *Organization of the Bureau of Barangay Roads.*—The Bureau shall be headed by a Director and assisted by an Assistant Director who shall be appointed by the President upon recommendation of the Secretary of Public Highways.

It shall be composed of four (4) divisions, namely: the Administrative Division; the Planning, Programming, Design and Survey Division; the Construction, Rehabilitation, Betterment and Improvement Division; and the Maintenance Division.

SEC. 4. *Organization of the Different Division:*

1. The Administrative Division shall be headed by an Administrative Officer V and assisted by an Administrative Officer III who shall be appointed by the Secretary of Public Highways upon the recommendation of the Director of the Bureau of Barangay Roads. It shall be responsible for personnel, information, legal and general services.

2. The Planning, Programming, Design and Survey Division (PPDSD) shall be headed by a Staff Civil Engineer as Chief of the Division, and assisted by an Assistant

Staff Civil Engineer as Assistant Division Chief, who shall be appointed by the Secretary of Public Highways upon the recommendation of the Director of the Bureau of Barangay Roads. The PPDSO shall be responsible for undertaking the planning, programming and design of feeder roads and bridges, including the necessary survey and location work, formulate specifications and prepare estimates.

3. The Construction, Rehabilitation, Betterment and Improvement Division shall be headed by a Staff Civil Engineer as Chief, CRBI Division, and assisted by an Assistant Staff Civil Engineer as Assistant Chief, CRBI Division, who shall be appointed by the Secretary of Public Highways upon the recommendation of the Director of the Bureau of Barangay Roads. The CRBI Division shall be responsible for exercising technical supervision over all the activities relating to construction, rehabilitation, betterment and improvement of feeder roads and bridges, establish policy guidelines; extend consultative services, and set standards and procedures for construction, rehabilitation, betterment and improvement works.

4. The Maintenance Division shall be headed by a Staff Civil Engineer as Chief, Maintenance Division and assisted by an Assistant Staff Civil Engineer as Assistant Chief, Maintenance Division who shall be appointed by the Secretary of Public Highways upon the recommendation of the Director of Barangay Roads. The Maintenance Division shall be responsible for exercising technical supervision over all activities relating to maintenance of barangay road and bridge projects being undertaken by field offices and local governments including barangays; and extending consultative services by setting standards and procedures for maintenance works.

SEC. 5. *Appropriations.*—All national funds appropriated and programmed by the Department of Public Highways for the construction, rehabilitation, betterment, improvement and maintenance of barangay roads and bridges including the shares of provinces, cities, municipalities and the allocation for the maintenance of farm-to-market or feeder roads and bridges within a barangay area, from the Highway Special Fund, shall be released to the Department of Public Highways which shall then sub-allot them to the barangays but construction and maintenance shall be under the supervision of the Department of Public Highways through the Bureau of Barangay Roads.

SEC. 6. *Special Provisions.*—In the implementation of projects falling under this Decree, the following provisions shall be strictly observed:

- (a) Functions—The Secretary of the Department of Public Highways shall issue guidelines and policies regarding the function of the different Divisions and Sections within this Bureau.
- (b) National Aid Maintenance for Feeder or Farm-to-Market Roads within Barangay Area;
  - (aa) For purposes of determining the maintenance allocations for municipalities and barangays, there should be separate inventory of such roads within the poblacion and barangay area to be submitted by the municipal and barangay councils respectively and duly approved by the Secretary of Public Highways.
  - (bb) National Aid Maintenance Fund for the Maintenance of Feeder or Farm-to-Market Roads within Barangay Area shall be released in the same manner under which maintenance aids to provinces, cities and municipalities are released; however, there shall be no counterpart fund requirement.
  - (cc) National Aid Maintenance Funds for Feeder or Farm-to-Market Roads within Barangay Area shall be sub-allotted to Barangay officials concerned who have been duly authorized by law to receive and disburse Barangay Funds, otherwise in the absence thereof, to the Municipal Treasurer concerned, thru the Office of the Highway District/City Engineer.
  - (dd) The Barangay Council, in coordination with the Highway District Engineer/City Engineer shall undertake maintenance work of feeder or farm-to-Market roads within its barangay area in accordance with the program of work duly approved by the respective Highway District or City Engineer; however, in cases where the capability of the barangay council to maintain road are limited or they fail to maintain adequately the road, the Highway District/City Engineer concerned shall take over, upon recommendation of the Highway Regional Director.

SEC. 7. All existing laws, rules and regulations inconsistent with this Decree are hereby modified, amended or revoked.

SEC. 8. This Decree shall take effect upon its approval.

Done in the City of Manila, this 16th day of May, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

## MALACANANG

RESIDENCE OF THE PRESIDENT OF THE PHILIPPINES

MANILA

## PRESIDENTIAL DECREE No. 703

APPROPRIATING FUNDS FOR THE FABRICATION  
OF SCHOOL BUILDING COMPONENTS AND  
ESTABLISHING FABRICATION PLANTS THERE-  
FOR.

WHEREAS, from statistics gathered, there is a current backlog in the school building construction of approximately forty six thousand (46,000) school rooms;

WHEREAS, due to the continuing increase of student population, the yearly occurrence of natural calamities such as typhoons, floods and earthquakes, and the depreciation brought about by ordinary wear and tear, school rooms and buildings have to be provided, repaired or replaced yearly;

WHEREAS, actual experience has shown that construction of school buildings with the use of standardized prefabricated building components is more economical and expeditious; and

WHEREAS, the Japanese reparations as the major source of school building components has already been terminated;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

SECTION 1. There shall be established, under the direct supervision and control of the Director of Public Works, prefabrication plants for school building components to be located in strategic places of the country to prefabricate school building components;

SEC. 2. For the organization and initial operating capital of said plants, the amount of FIFTY MILLION PESOS (P50,000,000.00) or so much thereof as may be necessary, is hereby appropriated out of any funds in the National Treasury not otherwise appropriated to be spent in accordance with the provisions of Section 7-1(4) of Commonwealth Act No. 246, as amended.

SEC. 3. The appropriation authorized herein shall include the amounts needed for the construction of buildings, acquisition of equipment including motor vehicles, salaries and wages of personnel and other operating expenses.

SEC. 4. The prefabricated school building components produced by these plants shall be paid from the allotments for the construction of school buildings allotted to the various district and city engineering offices of the Bureau of Public Works.

SEC. 5. The income which may derived from the operation of the plants is hereby constituted as a trust fund to be known as the School Building Components Fabrication Trust Fund under the administration of the Bureau of Public Works and shall be spent solely for the operation and maintenance of the plants including the construction of buildings and the acquisition of equipment including motor vehicles which may be needed from time to time.

SEC. 6. The necessary appropriations for the continuous operation of these plants shall be included in the general annual appropriation measure.

SEC. 7. The provision of any law, rule or regulations to the contrary, notwithstanding, the acquisition of equipment, supplies and materials for this purpose shall be exempt from any tax.

SEC. 8. This Decree shall take effect immediately.

Done in the City of Manila, this 16th day of May, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

## **MGA KASULATAN AT DOKUMENTONG PANGKASAYSAYAN**

(HISTORICAL PAPERS AND DOCUMENTS)

(EXTEMPORANEOUS SPEECH BY PRESIDENT MARCOS BEFORE SMALL LANDOWNERS, MAHARLIKA HALL, MALACANANG, MAY 7, 1975)

Kalihim Conrado Estrella, Kalihim Medina, Kalihim ng Pananalapi, Cesar Virata, Acting Governor Amado R. Briñas ng Central Bank, Kalihim ng Paggawa, Blas F. Ople, Kalihim ng Local Government and Community Development, Jose Roño, ang kasangguni ni Kalihim Roño sa kooperatiba, mga samahang nayon, at agrarian reform, Dr. Orlando Sacay, Ernesto V. Valdez, Juan Reyes ng Land Bank, Undersecretary for Community Development Rosendo Marquez, Katulong na Kalihim Tagapagpaganap Ramon Cardenas at iba pa nating mga katulong.

Alam ninyo mga kasama, unang-una pagpaumanhinan ninyo ang inyong abang lingkod. Pinaghintay ko kayo sapagka't ngayon ay napakaraming suliranin at panganib na hinaharap ang ating bansa. Pinulong ko ang mga bumubuo ng Gabinete, sapagka't sa mga nangyayari sa ating mga kapit-bansa ay nadaramay ang Pilipinas. Nagkaroon ng biglang pulong kaninang ikasiyam at kalahati. The Department of National Defense, Department of Foreign Affairs, Executive Secretary, the agencies engaged in strategic studies, representatives of the National Economic and Development Authority, Security Council Executive Committee. Dumating din ang Saudi Arabian Education minister, at iba pang mga kasama natin galing sa Mindanao.

Nagsimula kami ng miting kanina pang alas 8:00 ng umaga. Biglang nagtaasan ang presyo ng langis, pagkatapos gasolina, pagkatapos pati asukal, pagkatapos pati ang beef, karneng baka.

I understand that there are many of you who could not be accommodated in Maharlika Hall and that all those who are not accommodated are still at the ground floor. Marami raw ang naroroon sa ibaba ng Maharlika. Binabati ko kayong lahat. And I greet all those who were not able to come. Although this was supposed to be an invitation for small landowners, I notice that Mr. Eufemio Caparas includes in the resolution a pronouncement giving landowners up to 300 hectares.

May I say that this is merely a dialogue. Tayo ay nagkakaisa ng damdamin. Nagkakaisa tayo ng balak at hangarin tungkol sa ating bansa at mga mamamayan. Natutuwa ako sa mga binitiwang salita ng kinatawan ng mga may lupaing maliliit si Mr. Caparas, na tatangkilikin ninyo ang ating ginagawa, ang ginagawa ng ating pamahalaan

upang magtamo ng katahimikan at tunay na kapayapaan sa ating bansa.

Now, before I proceed to the problem of land reform, I am issuing in your presence, in the presence of everybody an order suspending all increases of prices that were decreed by the Oil Commission and the Price Control Council, pending the meeting of the National Economic and Development Authority to be held tomorrow at nine o'clock and that hearings be conducted in order to look into the facts which are the basis for these price increases.

I consider this speech as a formal notice to the Oil Commission headed by Chairman Ponciano Mathay as well as to the departments of public works and transportation, of highways and of industry, as well as the department of agriculture.

This suspension, therefore, includes primarily two sets of products; oil and oil products and sugar.

The order of the secretary of agriculture stopping the importation of cheap beef into the Philippines which brought down the price of beef and about which there have been complaints on the part of farmers is also suspended. And thus this order affects oil and oil products including gasoline, sugar and beef.

I also intend to meet the Security Council Executive Committee here in Malacañang at 10:00 o'clock on Friday to assess the latest development not only in the country but also the effect of such prices on both security and development in the Philippines. This will further start the studies on the entire economic and security program of the Philippines.

Let's go to land reform now that we are through with prices. Nagulat ako sa aking mga napakinggan ngayong umagang ito sapagka't nagtatanong si G. Eufemio Caparas, "Ilan po ba ang maiiwan sa amin?" Akala ko'y nalalaman ninyo na ang dating programa ay walang maiiwan? Hindi ba ang usapan noon ay basta't ilipat sa mga magsasaka? Nguni't, dahil sa mahirap namang biglain mong alisan ng lupa ang marami, ipinagbibilin ko na magkaroon ng *survey* at nang mapakinggan pati ang mga maliliit ang lupain.

Itong ating pulong dito sa Malakanyang ngayon, sa Maharlika, ay parang karugtong lamang ng pulong na sinimulan ng department of agrarian reform. Sang-ayon dito sa inyong mga resolution ay tila hindi kayo pinupulong at kinakausap ng kalihim ng agrarian reform.

Kung ganoon ay dapat marahil ay tigilan muna natin ito at itanong natin sa kalihim kung bakit hindi kayo pinupulong. Pero kinakalabit ko siya kanina: "Talaga nga



bang hindi mo pinupulong ang mga iyan o angal lang nang angal?" "Ah, hindi ho," ang wika niya, "nag-usap at nagkita na kami." "Ilan ang kausap mo?" "Aba'y nagkaroon pa ho ng *survey* iyan, eh."

Kagaya nga ng nababanggit dito: "Quite a number of people issued with land transfer certificates were not tenants." That's serious, but who were issued such certificates without the acknowledgment of the landowners? This happened before due to non-coordination between the municipal team leaders of the department of agrarian reform and the bureau of lands personnel. Recommended CLTs should be recalled and cancelled after due investigation by the DAR personnel, especially by the bureau of agrarian's legal assistance.

I consider this a very serious charge and therefore I order an investigation as to who committed all of these. And I ask the department of agrarian reform to now identify the officials who participated in this anomaly. If it was deliberate, willful, and criminal they must be punished. I order that they be criminally prosecuted in court.

Gayunman, ang aking hinihingi naman ay kung talaga pong mayroon kayong nalalaman na mga *certificate* na ibinigay nga sa hindi naman magsasaka at hindi nalalaman ng may-ari ng lupa, ay dapat ibigay ninyo ang mga pangalan niyan. Huwag nating basta sasabihin na ganito ang ginawa. Wala naman tayong mga katibayan ng mga nangyaring iyan. Nais kong malaman ninyo, mga kasama, na ito ay ginagawa natin para sa buong bansa. There should be no discrimination, no favoritism.

On Nov. 16, 1974, I issued Letter of Instruction No. 227 to the secretary of agrarian reform. This order is very clear—to immediately extend the present operation. I will read the entire order. Order to the secretary of agrarian reform which was publicized:

"In order to accelerate the implementation of the agrarian reform program, you are hereby directed:

1. To immediately extend the present operation implementing the land reform program pursuant to Presidential Decree No. 27 down to landholdings of over seven hectares.

Now therefore, there should be no further doubt about it. But this involves many people and according to our data, the number of people, landowners, holding 24 hectares down to seven hectares:

Land area:	426,834 hectares	28.10 percent
No. of Tenants:	229,316	23.98 percent

No. of Landowners (these are the landowners from seven to 23.9 hectares): 47,146 or 10.93 percent of the entire land ownership system in the Philippines.

Now we come to those owning seven hectares and below:

No. of hectares: 693,303 hectares, or 45.65 percent of the entire land area.

No. of Tenants: 521,858 or 55.63 percent.

The number of landowners of 693,303 hectares is 374,393, or 86 percent, of the entire landholdings in the Philippines.

These are, therefore, the data on which we are basing the existing policy. According to the survey which was conducted by the department of agrarian reform, about 96.4 percent of all landowners of seven hectares to 24 are absentee landowners, while 3.60 percent are presently tilling their own landholdings.

∴ Occupational profile, by occupation, 72.89 percent are unemployed. They do not even till the land. And those with self-employment, 12.59 percent. Those in the government, 6.24 percent. Government retirees, 3.7 percent. Non-government offices, 2.72 percent. Non-government retirees, 1.03 percent and those in the armed forces, 0.8 percent.

The complaint, therefore, that these small landholdings belong to retirees mostly is incorrect. The survey indicates that the owners of these lands are employed and that they are not producers in our society. On the contrary, they constitute a group that are supported by the unearned increment of the land.

This is very disappointing to me. These data and these facts, which have been brought out by this survey, make me feel that a great number of our landowners still have the mentality of the absentee landlord. And you know exactly what the policy is on the absentee landlord. Absentee landlords do not help our economy: they depend on the lands. The survey also indicates that many of the landlords or the owners of the land did not buy these lands—they inherited these lands. And it is not true, as claimed by some landowners, that they bought the land for the security of their children. This land was inherited and has not been properly utilized for production in the past many decades.

Now we must get together and see how we can properly utilize these lands. This is the bigger problem—the prob-

lem really does not involve so much as the question of transfer of ownership from one to the other although this affects him personally. But from my point of view as a leader, the problem is: How do we convert this idle or this non-productive sector of our people into a productive sector? Sapagka't ang labas nitong ating *survey* na ginawa ng ating mga dalubhasa, ay inuulit ko: wala raw hanap-buhay ang 62 percent na may-ari ng lupa na maliliit at ni hindi raw kasama sa pagsasaka ng lupa. Ang ibig sabihin niyan, mga kasama, ay hindi sila tumutulong sa pag-unlad ng ating bansa.

Ang suliranin ng isang lider na kagaya ng inyong abang lingkod, na pinagkatiwalaan ninyo ng pagka-Pangulo, ay kung papaano niya gagamitin ang lakas ng katawan at ng diwa para sa lahat ng ating mga may-ari ng lupa na hanggang ngayon ay hindi kasama sa pagsasaka at hanggang ngayon ay hindi tumutulong sa pag-unlad ng ating bansa.

If you have any other figures better than this I am ready to listen to them. I ask you to come here because I am alarmed at this discovery that 96.4 percent of all landowners of less than 24 to above 7 hectares are absentee, while 3.60 percent are presently tilling their own landholding. And it is reported here that the biggest number of landowners is within the seven hectares bracket.

Yaong ang lupain ay pitong ektarya lamang o maliit pa sa pitong ektarya, nakararami ay sa Pangasinan at sa Ilokos Norte na aking lalawigan. Ang ibig sabihin niyan pati ang mga may-ari ng lupa na pipitong ektarya lamang at maliit pa sa pitong ektarya ay hindi nagtatrabaho, naghihintay lamang ng ani at kanilang kaparti sa ani. Kaya hindi tumutulong sa pag-unlad ng bansa. Ito ba ay talagang pababayaan natin? Are we going to allow this to continue? Shall we allow our people to just continue with this present set-up?

Now, I must tell you that when I proclaimed martial law, I was met with a decision to make. This decision was, whether to proclaim a revolutionary government or to eliminate the government setup, the structure. Many of the advisers were of the belief that since the communists, the leftists, the rightists and the southern secessionists were all bent on bringing down the Republic, we should now induce an immediate restructuring of our society—take over all the lands, the powers, everything and discard the Constitution, discard the government and partition the land properly to those who would be able to utilize them for the production of the requirements of our society.

I told them that it is possible but do you know what would result? What would result, I said, is bloodshed. There

would be bloodshed and, at the same time, we would be building a new structure of society, a new government without taking advantage of all the progress that we have attained in the past several decades.

The alternative was to declare martial law and to maintain that the Constitution was being followed, that the Constitution grants the power to the President, that the President will restructure our society in accordance with the Constitution, that we would adopt a new Constitution, issue orders and decrees in accordance with the Constitution, and we would run the government as a continuation of the legitimate authority that had been authorized by the people.

I decided then because, as you can see what's happening all over Southeast Asia now, many of the evacuees who are leaving Vietnam, Cambodia and the other parts of the region are landowners. And probably, it's providential that I met with you at this time of the international crisis.

Why are they leaving Vietnam? Why are they leaving Cambodia? Because they are the primary targets of the revolutionaries. Many of the principal causes of the rebellion in Central Luzon and in other parts of the country, whether it was during the Spanish times, the American regime or under the Philippine administration, were originated from the feudalistic land system that we have. We cannot close our eyes to this.

I notice that everytime we talk about land reform, we talk of our individual rights. I agree with you. We must protect our individual rights but not to the prejudice of the country. If, for instance, the land reform program fails, what will happen? Just think about what will happen if the land reform program fails. Suppose, for some reason or other, the land reform program fails, your administration fails, the entire government fails, who will take over and where will you and I be? Will you and I be like the evacuees who have to squat on military bases and who have to swim for their lives fleeing the country.

Well, you and I have decided a long, long time ago that we are not going to leave this country. We are going to protect it. We are going to defend it with our lives, but the danger is there. The threat is there. And that is why I have seen it necessary and wise to consult with you, because the dangers now are dramatized all around us, arising out of a program which, of course, does not treat landowners as pleasantly as we are treating landowners. The dangers are now here.

I think you who are from Nueva Ecija, Tarlac, Pangasinan, Pampanga and Isabela are aware of the fact that

there are movements in those areas all over again arising out of encouragement coming from across the seas, I mean the victories in the Indochina conflict. You know this very well. There is fighting now in the northern boundary of Thailand. They burned five police stations in Kuala Lumpur. Ipoh has been under attack. You can point any country and I will show to you that the danger is becoming more apparent every day. And so, you and I have got to look at this thing realistically.

Who wants to take away land from anyone? Why should I be the one? If I could dispense with this duty and this obligation, I will do it. But you see more than anything we have to comply with our avowed purpose. We cannot say one thing and then later on, because our families and our friends come to us we overlook all these figures and disregard the old program. What was this program? When I proclaimed martial law I said, "We will dismantle the apparatus of the rebellion, of the leftists and the rightists groups as well as the secessionist movement." We dismantle it but more than this we will remove all the causes of inequity and injustice. And removing them, we'll restructure our society."

Have we forgotten that when we were in danger of our lives, when we could not go to the barrios, when we could not even visit our farms, each and everyone of us cried out to the government, do anything, everything in order to maintain peace and order. Do we want the same disorder to return to our country? Of course, we don't. Tayo ba ay manunumbalik na naman sa mga dating nangyari noong araw na ni hindi tayo makapasyal sa ating mga lupain.

Alam ko na noong araw ay hindi tayo makapasyal sa ating mga bukid. Alam kong wala namang nangangarap na tayo ay bumalik pa sa mga kadiliman ng mga araw na iyon. Sapagka't ngayon naman ay tahimik na at sumasarap na naman ang buhay, nalilimutan na naman natin na ang talagang dating tangka at balak na alisin ang pinanggalingan ng mga hinanakit. Sabi nga ng mga may-ari ng lupa, "kami ay may hinanakit." Totoo nga mayroon kayong hinanakit sapagka't ang unang tinamaan ay kayo. Pero kayo nga lang ba ang tinamaan? Papaano iyong mga mayroong malalaking lupa?

Tulad ng mga dating kaibigan ni Marcos, sina Cojuangco na may libu-libong ektarya. Mayroon ba namang sasakit pa na basta't nakuha ang lupa at ibinigay sa mga magsasaka. Dumaing nga, nguni't ang sabi ko nga sa kanila, ang aking hinihingi sa inyo ay hindi lamang sa tumulong sa pamahalaan nang pabalat-bunga, kung hindi iyong talagang tunay na tulong. Huwag pangako lamang sapagka't gawa iyan

ng mga dating pulitiko. Gawa naming mga pulitiko noong araw, pangako nang pangako, nguni't wala namang nang-yayari. Huwag na nating balikan ang araw na iyan.

Ang aking hinihingi sa mga may-ari ng lupa, ilipat natin hindi sa pagsasaka, kung hindi sa industriya ang ating pansin. Iyan ang dating plano. Transfer the talent, the prestige, the industry and the managerial entrepreneurship of the owners of land from farming and agriculture to industry. How do we do this? This is what I want to talk to you about today.

I realized that you cannot just be deprived of your land. We will not do that. We are not going to shoot you and deprive you of your land just like in other countries. No, No. I will not allow that. As long as I am President, I will not allow the confiscation of any of your lands without proper and just compensation and giving you an opportunity to utilize your talents and entrepreneurship for the development of our country.

Now, let me therefore give you in short what you are asking for in your resolution. Because you have asked in your resolution that you participate in the determination of just compensation, I direct the department of agrarian reform to now see to it that the representatives of the small landowners be allowed to sit down with the department of agrarian reform. Pakinggan natin ang ating mga mamamayan, ang mga may-ari ng lupa.

Inyong hinihingi na malaman kung bakit daw hanggang ngayon ay wala raw si Cesar (Kalihim Cesar Virata) na pahintulot magbayad ang mga institusyon ng pananalapi. But before that, why is it that it is claimed that many of the tenants, no less than 80 percent approximately, of the tenants don't pay anything or refuse to pay in full the rental of the land they are tilling that made the small and medium landowners miserable. That was especially so after the decree that tenants cannot be ejected was decreed by the President. In other words, the tenants are abusing.

I, therefore, order that the tenants be disciplined and be asked to pay. Itinagubilin ko sa ating kalihim ng reporma ng lupa na tawaging lahat ang mga lider ng mga kasama sa land reform areas at ipagbilin sa kanila na ngayon din ay simulan nang tuparing lahat ang kanilang mga pangako na talagang karapat-dapat gawin na pagbabayad ng upa.

Ngayon, dito naman sa ating Land Bank. Sekretaryo, bakit ba hindi maaaring pautangin ang mga tao nang sapat na halaga? We are removing the land from them. You were transferring this land to the tenants. What will they do if they have no means of livelihood?

I, therefore, order that the cash to be paid should not be 10 percent but should be doubled to 20 percent.

I also order that we now allow the holders of the bonds to borrow money from the Land Bank but at a lower rate of interest, instead of 12 percent make it 10 percent, on condition that the money to be borrowed will be used for investment purposes.

Baka naman dalhin ninyo sa Roxas boulevard, mahirap iyan. Kailangan ay para sa pamumuhunan. At what rate should be allowed? If, for instance, the landowner has children who must go to school, now, perhaps we should increase the cash payment for those who have children who are going to school.

I, therefore, order that for the landowners who disposed of their land under this system to the tenants, if the landowner desires a larger cash payment for the education of his three children, he shall be entitled to an additional 10 percent cash payment (not exceeding 10 percent) so that the total cash payment will become 30 percent. This additional cash payment shall be deposited in a bank to be withdrawn only upon presentation of the necessary statements and documents attesting to the enrollment of his children in a duly recognized school here or abroad.

Baka mamaya sasabihin ninyong para sa eskuwela iyan, eh hindi naman pala. Baka eskuwe-eskuwelahan lang iyan. Kailangan namang makatarungan ang lahat ng gawa, ano? Just fair, legitimate. Supposed he wants security for his children. Sapagka't tuwing ako'y papunta sa probinsiya ang tanungan, e paano po itong mga lupaing ito ay para sa mga anak namin iyan. Kami man ay mahihirap. Ano ba naman ang hanapbuhay namin, wala namang iba kung hindi ang lupang iyan lamang. Kukunin ang lupang iyan, saan manggagaling ang para sa aming mga anak? Makatwiran naman, ano po?

And so I order if the landowner desires a larger cash payment for the security of the future of his children, not education but for the future, like insurance, he shall be entitled to an additional cash payment of not more than 10 percent, but in no case shall the total cash payment be more than 30 percent of the total cost of his land. But in such a case the insurance payment shall be made by the Land Bank to the insurer, preferably an insurance company, which is a member of the Cooperative Insurance System of the Philippines created under Presidential Decree 317.

It is understood that the maximum payment of the insurance shall not exceed 10 percent of the value of the land.

Ngayon dito naman sa ibang mga may-ari ng lupa, ang isang daing naman nila, iyan pong lupang iyan, gagamitin namin upang magpatayo kami ng bahay na sarili. If the landowner desires larger cash payment for housing purposes for his family, he shall likewise be entitled to an additional cash payment of not more than 10 percent. But in no case shall the total cash payments exceed 30 percent of the total cost of his land and in such a case the Land Bank shall work out a plan for the construction of the house for his family, the additional 10 percent of the cash payment due to the landowner shall be placed in the Land Bank for the account of the landowner and may in time be used by the bank or be invested by the bank in a viable investment project of the landowner.

Payments to landowners covered by this scheme shall be exempt from capital gains tax and the interest that shall accrue therefrom shall be exempt from income tax. No fee, premium tax of any kind shall be charged or imposed in connection with the issuance and registration of instruments or documents under this Letter of Instruction. With your permission, I will now sign this Letter of Instruction addressed to Secretary Conrado Estrella, Secretary Cesar Virata, Secretary Jose Roño and Mr. Basilio Estanislao, president of the Land Bank of the Philippines.

This pertains principally to land. Itong previous instructions will probably affect mostly land from seven to 24 hectares. What do we do about land, seven hectares and below? How many are involved? It is quite obvious that in the Philippines, 45 percent of the entire land area is seven hectares and below. The rest, the majority about 45 percent, are over seven hectares. Ang kailangan ng ating may-ari ng lupa is that we maintain a strong middle class. This is the purpose of the entire land reform program or for that matter the entire socio-economic development program of the Philippines.

It is also quite obvious that the number of tenants is almost equal to the number of owners, such as in Ilocos Norte where there are 28,000 owners and 80,000 tenants.

We probably must now convert all of these into leasehold. I direct that the department of agrarian reform now convert all of these into leasehold but that the landowners shall retain the land and that will be the limit of ownership.

I am sure that the solution of seven hectares is not acceptable to the two extremes—not acceptable to the tenants, not acceptable to the landowners. No compro-



mises are ever acceptable. So my original plan was, as recommended by some of the experts who came from abroad, was to immediately adopt the "no retention" scheme. But, in accordance with the studies now being conducted, we have modified this particular scheme.

In accordance with the situation here in the Philippines, I however, would like to order the department of agrarian reform to find out if those owners themselves of these small farms, seven hectares and below, turned out to be parasites of our economy. If they continue to be non-productive, if they continue to be a drag on society, then we will have to change our policy.

I, therefore, ask all small farmers to participate in the economic production because this whole thing would make our country as strong as possible. We speak of a strong middle class. There is no such thing. Middle class that merely depends upon the unearned increment income of land is not the middle class that we think of. The middle class that will constitute the strength of the citizenry is the middle class that produces for our country.

Therefore, I ask that the departments of agriculture, local government and agrarian reform now see to it that this be immediately implemented—the policy of getting all the landowners to participate in the program of production. I would like to have a continuing report on this matter.

Namamanhik ako sa lahat ng ating mga mamamayan. Kaya ko kayo tinawag dito sa bulwagan ng Maharlika ay upang maunawaan ninyo ang lahat ng batayan ng ating mga kapasiyahan tungkol sa reporma ng lupa sapagka't hindi tayo maaaring magpulong araw-araw. The communication gap between the landowners and the Department of agrarian reform must be immediately bridged.

Ako'y nagugulat na ang department of agrarian reform ay hindi nakakapulung ng mga may-ari ng lupa. Hindi lamang iyong mga tenants, ang ating mga magsasaka ang dapat ninyong pulungin, sapagka't ang ating ginagawa ay para sa lahat ng mga mamamayan sa kaunlarang buong bayan.

Ngayon pag-usapan naman natin ang utang pagka't nasabi natin, cash payment for the land will be at least 20 percent and perhaps up to 30 percent. Beginning today, May 7, I direct that the Land Bank now start with cash payment of 20 to 30 percent. Ano ang mangyayari dito sa maiiwan na 70 bahagdan? I direct that the Land Bank now extend loans on the 70 percent to the maximum of 82 percent—82 percent of the 70 percent remaining of the

land bonds, provided that the loans will be utilized for productive enterprise. What do we mean by productive enterprise? You may go into industry. We encourage the establishment of small and medium-scale cottage industries.

I now direct the Land Bank to coordinate with the Development Bank of the Philippines on the matter of lending, because we would like to see, I repeat, we would like to see the small and large landowners transfer their talents, their management capabilities, their entrepreneurial and adventuring spirit into industry.

In the present case, with respect to the small and medium-scale industries, I appeal to you to move into the small and medium-scale industries which is the future of the entire Philippines. The big industries, yes, by all means go into them and buy shares of stock. That's all right. But preferably we ask you to go into small and medium-scale industries and we will extend to you all the help that may be extendable from the Development Bank of the Philippines and other groups supporting the small and medium-scale industry programs especially the department of industry, board of investments and others. Even the cottage industries, we ask you to support all of these.

Inuulit ko, we don't believe in hurting you. We think, however, that by and large, in the long run, in the future, you and I will be thankful that we have thought of this. We feel that there will be some difficulties. We are ready to help you in these difficulties. Kung ano man ang inyong mga suliranin tungkol sa lupa, ay nais ko sanang magtatag ngayon ang ating kalihim sa agrarian reform, kalihim ng pananalapi at ng kalihim ng pamahalaang lokal ng isang lupong mag-aaral sa mga suliranin ng maliit na may-ari ng lupa.

Huwag nating tigilan itong ating usapan at pagpupulong. Pagkatapos nitong pulong dito sa Maharlika at napakinggan ang Pangulo ay hindi na magkikita uli. Aba, hindi! I would like to see a continuing dialogue between this committee of the three departments including the Land Bank and the small landowners. E, bakit ba kung kailan lang tatawagin ng Pangulo ang mga maliliit na maylupa doon maririnig ang mga karaingang ito? Bakit ba naman hi-hintayin pa na magpulong uli? Gaya rin ninyo, kay rami ng pasanin ng Pangulo.

I would like, therefore, to see to it that there is a continuing dialogue. I want a report every month of the implementation of this order that I have given. I want a report on what has been done, how many have been paid, how many small landowners have been paid—20 percent, 30 percent, how many landowners have been lent money.

I know that the money that has been paid is only a total of P160 million, which is only a small percentage compared to the values of all this. We also would like to know how much money has been lent to the landowners? We want to know this.

Ibig kong marinig ang karaingan ng may-ari ng lupa, kung mayroon mang daing ang ating mga may-ari ng lupa na sa akala nila ay hindi dapat dumaan sa ating mga kalihim at kailan iabot sa akin? I direct my executive assistant, Secretary Jacobo Clave, to receive any communication coming from your representatives any time. I am interested to know more or less what is happening and what will happen to this program. I know that this is a problem that will take months to settle. I feel that we should act as one coordinated group.

Kagaya nito, napakinggan natin ang awit ng mga magagandang mang-aawit. Agad-agad may sumagot doon. Aba't tila parang nag-aaway, ano? Bakit ba pag-aawayin? Ano ang makukuha natin sa away? Kapag nag-away kayo, mapipilitan ang inyong abang lingkod na sabihing lubayan na ang pagpupulong. Sino ba naman ang nagsasabing itong mga suliranin ito ay suliranin lamang ng Pangulo? Ito ay hindi suliranin lamang ng Pangulo. Ito ay suliranin ng buong bansa. Kapag hindi natuloy ang ating land reform sakit ng ulo ng lahat ng mamamayan ng Pilipinas.

I can tell you right now, after studying all the problems that are confronted with and seeing the developments all over Asia, that if the land reform program in the Philippines fails, then you and I must be ready to fight for our lives within the next several years. Therefore, I am appealing to you. Let us avoid all of this. Let us work as one nation. I am appealing to you in the name of the Filipino nation. I am appealing to you in the name of the Republic of the Philippines. Let us unite as one. I know that you sacrifice and I call upon everybody else to sacrifice with you. And I call upon the government officials to see to it that no one feels aggrieved in this transaction because if there is anything that is worst, it is the feeling of injustice.

I know how you feel. You may say, "Iyon na lang pong mga magsasaka ang inaasikaso at hinaharap ninyo. Kami man po ay Pilipino." Which is correct but, at the same time, we must remember, sino ba ang kailangang tulungang parati? Hindi ba iyong maliliit? Iyong hindi pa nakalakad? Iyong anak na kapus-palad ang pinagbibigyang parati. Kaya't ipagpaumanhin na ninyo. Ipagpaumanhin na ninyo kung iyong mga maliliit ang inaasikaso ko muna. Nguni't hindi naman ang ibig sabihin, ang mga panganay ay nalimutan na. Ang mga panganay ay talagang malapit sa puso. Nguni't malakas sila nang kaunti at nakalakad

na, nakapagsasarili na at hindi mo na susubuan sapagka't kumakain na. Ang mga maliliit ay sinusubuan mo pa. Ganyan din ang nangyayari sa pamahalaan. Ipagpaumanhin ninyo kung minsan ay nagkakamali itong ating mga katulong. Kung maaari sana ako na ang magtatrabaho nang lahat, nguni't paano naman hahatiin ang katawan ni Marcos. Hinihiling ko, mga kaibigan, na bawa't isa sa atin ay tumulong. Haharapin natin itong suliraning napakabigat.

But more than anybody else, the secretary of agrarian reform bears the burden and I shall watch the implementation of these policies.

At sa inyo pong lahat, maraming salamat. Lalo na sa mga nanggaling sa Mindanao, sa Bisaya, sa Hilaga at Gitnang Luzon, pare-pareho marahil tayo na hindi pa nag-aalmusal ngayon. Ipagpaumanhin na kami ay hindi naghandang rito. Kung nalalaman lang namin na magtatagal ito ay nagpapatay sana ako ng baka at kambing.

Sa inyo pong lahat, maraming salamat at magandang tanghali.

**MGA HATOL NG KATAAS-TAASANG HUKUMAN**  
(DECISIONS OF THE SUPREME COURT)

[No. L-27113. November 19, 1974]

SECOND DIVISION

SABINA BASA, BONIFACIO BASA, BONIFACIO CABALHIN and PRIMITIVO GALLARDO, plaintiffs-appellees *vs.* FEDERACION OBRERA DE LA INDUSTRIA TABAQUERA Y OTROS TRABAJADORES DE FILIPINAS (FOITAF) and LA DICHA LA PAZ Y BUENVIAJE CIGAR AND CIGARETTE FACTORY, defendants.

FEDERACION OBRERA DE LA INDUSTRIA TABAQUERA Y OTROS TRABAJADORES DE FILIPINAS (FOITAF) defendant-appellant.

*Eliseo M. Cruz, Froilan Tafalla and Angel Casanova* for the plaintiffs and appellees.

*Teofilo C. Villarico* for the defendants and appellants.

APPEAL from a decision of the Court of First Instance of Rizal. (Quezon City Branch IV) De los Angeles, J.

SYNOPSIS

Petitioners, who are members of "Iglesia ni Cristo," were former members in good standing of defendant union. They resigned from the Union on ground of religious beliefs after the Union had renewed its union shop agreement with defendant company. However, the Union withheld their resignation and told them to reconsider the same, otherwise it would ask the Company to enforce the union shop agreement. Similarly, the Company required them to reaffiliate with the Union on pain of dismissal. As a consequence, petitioners filed an action with the lower court to enjoin the company from dismissing them from their employment and the Union from collecting union dues and assessments. The lower court decided in their favor and enjoined defendant company from dismissing them. It likewise ordered the Company and the Union to reimburse all union dues and assessments collected from petitioners after they had already resigned from the Union. Hence, the Union appealed, raising the validity of Republic Act No. 3350, under which petitioners sought exemption from membership in the Union.

Decision appealed from affirmed.

SYLLABUS

of the Ruling of the Court

1. REPUBLIC ACT NO. 3350; PURPOSE.—House Bill No. 5859, which later became Republic Act No. 3350, was enacted into law with the explicit purpose of safeguarding and maintaining inviolate the religious freedom of all individuals.

2. CONSTITUTIONAL LAW; BILL OF RIGHTS; RIGHT TO FORM ASSOCIATIONS.—Section 1[6] of Article III of the Constitution of 1935, as well as Section 7 of Article IV of the Constitution of 1973, provide that the right to form associations or societies for purposes not contrary to law shall not be abridged.
3. EMPLOYEES; RIGHT TO SELF-ORGANIZATION; PROVISION UNDER INDUSTRIAL PEACE ACT.—Section 3 of the Industrial Peace Act provides that employees shall have the right to self-organization and to form, join or assist labor organizations of their own choosing for the purpose of collective bargaining and to engage in concerted activities for the purpose of collective bargaining and other mutual aid or protection.
4. ID.; ID.; GUARANTEE ACCORDED BY CONSTITUTION AND INDUSTRIAL PEACE ACT.—What the Constitution and the Industrial Peace Act recognize and guarantee is the “right” of employees to form or join associations.
5. ID.; ID.; “RIGHT” CONSTRUED.—A right comprehends at least two broad notions, namely: first, liberty or freedom, i. e., the absence of legal restraint, whereby an employee may act for himself without being prevented by law; and second, power, whereby an employee may, as he pleases, join or refrain from joining an association.
6. ID.; ID.; EMPLOYEE HAS RIGHT TO DECIDE.—The employee is the one who should decide whether he should join or not an association, and should he choose to join, he himself makes up his mind as to which association he would join; and even after he has joined, he still retains the liberty and the power to leave and cancel his membership with said organization at any time.
7. ID.; ID.; NO DUTY IMPOSED TO JOIN ASSOCIATION.—Inasmuch as what is recognized and guaranteed to the employee is the “right” to join associations of his choice, it would be absurd to say that the law also imposes, in the same breath, upon the employee the *duty* to join associations. The law does not enjoin an employee to sign up with any association.
8. ID.; ID.; ID.; LIMITATION PRIOR TO REPUBLIC ACT 3350; CLOSED SHOP AGREEMENT.—Before the enactment of Republic Act 3350 the right to refrain from joining labor organizations was limited where a labor union and an employee had agreed on a closed shop, by virtue of which the employer could employ only members of the collective bargaining union, and the employees had to continue to be members of the union for the duration of the contract in order to keep their job. By virtue of that closed shop agreement, if any person, regardless of his religious beliefs, wished to be employed or to keep his employment, he had to become a member of the collective bargaining union.
9. ID.; ID.; ID.; ID.; EXCEPTION INTRODUCED BY REPUBLIC ACT 3350.—To the all embracing coverage of the closed shop arrangement, Republic Act No. 3350, amending the Industrial Peace Act, introduced an exception that such agreement shall not cover members of any religious sects which prohibit affiliation of their members in any such labor organization.
10. ID.; ID.; ID.; ID.; SCOPE OF APPLICATION OF REPUBLIC ACT 3350.—Republic Act No. 3350 merely exclude *ipso jure* from

the application and coverage of the closed agreement the employees belonging to any religious sects which prohibit affiliation of their members with any labor organization, but does not prohibit the members of said religious sects from affiliating with labor unions. It still leaves to said members the liberty and the power to affiliate, or not to affiliate with labor unions. If, notwithstanding their religious beliefs, the members of said religious sects prefer to sign up with the labor union, they can do so.

11. ID.; ID.; ID.; ID.; ID.; OBLIGATIONS OF CONTRACT IMPAIRED.—Where a union security agreement between the union and the company was already in existence at the time Republic Act 3350 was enacted, it cannot be denied that there was indeed an impairment of said union security clause.
12. ID.; ID.; ID.; ID.; ID.; RULE ON NON-IMPAIRMENT OF OBLIGATIONS OF CONTRACT NOT ABSOLUTE.—The prohibition to impair the obligation of contracts is not absolute and unqualified. Legislation impairing the obligation of contracts can be sustained when it is enacted for the promotion of the general good of the people, and when the means adopted to secure that end are reasonable.
13. ID.; ID.; ID.; ID.; ID.; PURPOSE IS LEGITIMATE.—Since the purpose of Republic Act 3350 is to insure freedom of belief and religion, and to promote the general welfare by preventing discrimination against those members of religious sects which prohibit their members from joining labor unions, it cannot be gainsaid that the purpose is legitimate.
14. ID.; ID.; ID.; ID.; ID.; RELIGIOUS FREEDOM WITH PREFERRED POSITION IN HIERARCHY OF VALUES.—Religious freedom, although not unlimited, is a fundamental personal right and liberty, and has a preferred position in the hierarchy of values. The free exercise of religious profession or belief is superior to contract rights. In case of conflicts, the latter must, therefore, yield to the former.
15. ID.; ID.; ID.; ID.; ID.; ID.; EXCEPTION.—It is only where unavoidably necessary to prevent an immediate and grave danger to the security and welfare of the community that infringement of religious freedom may be justified, and only to the smallest extent necessary to avoid the danger.
16. ID.; ID.; ID.; ID.; ID.; NO DISCRIMINATION IN FAVOR OF RELIGIOUS SECTS.—Republic Act 3350 does not discriminate in favor of members of religious sects. The exemption from the effects of closed shop agreement does not directly advance, or diminish, the interests of any particular religions. Although the exemption may benefit those who are members of religious sects that prohibit their members from joining labor unions, the benefit upon the religious sects is merely incidental and indirect.
17. ID.; ID.; ID.; ID.; ID.; RELIGIOUS TEST NOT REQUIRED.—Republic Act 3350 does not require as a qualification or condition for joining any lawful association membership in any particular religion or in any religious sect; neither does it require affiliation with a religious sect that prohibits its members from joining a labor union as a condition or qualification for withdrawing from a labor union.
18. ID.; ID.; ID.; ID.; ID.; NO POSITIVE ACT REQUIRED.—Joining or withdrawing from a labor union requires a positive act. The

Republic Act 3350 exempts members with such religious affiliation from the coverage of closed shop agreements. So, under this Act, a religious objector is not required to do a positive act—to exercise the right to join or to resign from the union. He is exempted *ipso jure* without need of any positive act on his part.

19. ID.; ID.; ID.; ID.; ID.; NO DENIAL OF EQUAL PROTECTION OF LAWS.—The Republic Act 3350 is not a discriminatory legislation, as it classifies employees and workers, as to the effect and coverage of union shop security agreements, into those who by reason of their religious beliefs and convictions cannot sign up with a labor union, and those whose religion does not prohibit membership in labor unions. The classification rests on real or substantial, not merely imaginary or whimsical, distinctions. There is such real distinction in the beliefs, feelings and sentiments of employees. Employees who do not believe in the same religious faith and different religions differ in their dogmas and canons.
20. ID.; ID.; ID.; ID.; ID.; SOCIAL JUSTICE PROMOTED.—Since the Republic Act 3350 looks after the welfare of those who, because of their religious belief, cannot join labor unions by preventing their being deprived of work and of the means of livelihood and insures economic stability to the members of a religious sect, like the Iglesia ni Cristo, who are also component elements of society, it cannot be denied that social justice is promoted.
21. ID.; ID.; ID.; ID.; ID.; CLOSED SHOP AGREEMENT NOT FAVORED.—A closed shop is inherently coercive. That is why, as is unmistakably reflected in Supreme Court decisions, the latest of which is *Guijarno vs. Court of Industrial Relations*, it is far from being a favorite of the law. For a statutory provision then to further curtail its operation, is precisely to follow the dictates of sound public policy.
22. EMPLOYEES; DISMISSAL; RESIGNATION OF EMPLOYEE FROM UNION DUE TO RELIGIOUS BELIEFS, NOT A VALID GROUND.—An employee cannot be summarily dismissed from his employment in the company as a result of his resignation from the union due to his religious belief notwithstanding an existing union shop clause in the union collective bargaining agreement, because Republic Act No. 3350 exempts him from joining any labor organization, when such is contrary to his religious beliefs and convictions.
23. LABOR UNION; MEMBERS; RIGHT TO LEAVE AND CANCEL MEMBERSHIP AT ANYTIME.—A member of a labor union may leave and cancel his membership with the union at anytime. When an employee or laborer joins a labor union, he does not make any commitment or assume an undertaking to continue his membership therein for any fixed period of time, much less indefinitely.
24. ID.; ID.; OBLIGATION TO PAY UNION DUES CEASES FROM MOMENT OF RESIGNATION FROM UNION.—The moment a member has resigned or separated from the union, he is no longer obliged to pay his dues and assessments to said organization. Where union dues and assessments have been collected from the employee after he had already resigned from the union, the same must be reimbursed to him.



## OPINION OF THE COURT

ANTONIO, J.:

Appeal from the decision, dated March 31, 1966, of the Court of First Instance, Branch IV, Quezon City, (1) enjoining defendant La Dicha La Paz y Buen Viaje Cigar and Cigarette Factory from dismissing plaintiff-appellees Sabina Basa, Bonifacio Basa, Bonifacio Cabalhin and Primitivo Gallardo, from their employment in said company; and (2) ordering both the company and defendant-appellant Federacion Obrera de la Industria Tabaquera y Otros Trabajadores de Filipinas (FOITAF) to reimburse all union dues and assessments collected from plaintiffs-appellees from the date of their resignation as members in defendant union until the date of the last collection, to pay attorney's fees in the amount of ₱900.00 and the costs of suit.

The records show that plaintiffs-appellees Sabina Basa, Bonifacio Basa, Bonifacio Cabalhin and Primitivo Gallardo, who are members of "Iglesia ni Cristo", have been employed with the defendant company, La Dicha La Paz y Buen Viaje Cigar and Cigarette Factory, since 1949, 1952, 1960 and 1957, respectively, and were therefore employees of that company on April 21, 1961, when the collective bargaining contract between the company and the defendant union, Federacion Obrera de la Industria Tabaquera y Otros Trabajadores de Filipinas (FOITAF) was executed. This agreement provided for a union shop clause, thus:

"RECOGNITION AND UNION SECURITY: (2) All workers and laborers who are members of the FOITAF shall remain and maintain their membership in good standing in the Union as a condition of their continued employment with the Company. New workers whom the Management may employ shall, as a condition of continued employment with the company, become members of the FOITAF after 60 working days of continuous employment."

The plaintiffs-appellees were members in good standing of the labor union until August 28, 1964, when they formally resigned from the Union (Annex "A", Complaint), invoking their constitutional right to freedom of religion, the free exercise of which exempts them from being compelled to join any labor organization, when such is contrary to their religious beliefs and convictions, as provided by Republic Act No. 3350,<sup>1</sup> which became a law on June

<sup>1</sup> The amendatory Republic Act No. 3350 reads:

"SECTION. 1. Paragraph (4), subsection (a) of Section four of Republic Act Numbered Eight hundred seventy-five is hereby amended by providing an exception to the application of the proviso, and as amended should read as follows:

"(4) *Provided*, That nothing in this Act or in any Act or statute of the Republic of the Philippines shall preclude an employer from

18, 1961. In its answer dated August 31, 1964, to the resignation of the plaintiffs-appellees (Annex "B", *ibid.*), the Union, through its president Severino Tabalno, gave them fifteen (15) days from receipt of said letter to reconsider their resignation, otherwise it would ask the Company to enforce the above-quoted union shop agreement. Thereafter, or on October 14, 1964, the Company, through its president Bienvenido A. Tan, Jr., formally gave the plaintiffs-appellees up to October 23, 1964 within which to reaffiliate with the Union on pain of dismissal (Annex "C", *ibid.*). Instead of reconsidering their resignation, the plaintiffs-appellees filed on October 20, 1964 the present action for injunction, which was amended on January 30, 1965, alleging, among others, that (1) they have a right to remain in their employment, which is properly within the meaning of constitutional guarantees,<sup>2</sup> for they cannot be legally dismissed by defendant Company for failing to maintain their membership in the defendant Union, being old employees of the former;<sup>3</sup> (2) their resignation from the labor Union is but an exercise of their right to freedom of religion guaranteed by the Constitution, which guarantee is implemented by Republic Act No. 3350; and (3) being no longer members of the labor Union, they were no longer obliged to pay said dues and assessments through payroll deductions;<sup>4</sup> Plaintiffs-appellees, therefore, prayed that judgment be rendered (1) to enjoin immediately *ex-parte* the defendants from dismissing plaintiffs from their employment, and from collecting union dues and assessments through payroll deduction from plaintiffs' earned wages; (2) to order defendants to reimburse, jointly and severally, all union dues and assessments collected from plaintiffs since their resignation from defendant Union, and to pay moral and exemplary damages, attorney's fees of P900.00 and costs.

Both defendants filed their respective answers. In its answer with special and affirmative defenses, dated No-

making an agreement with a labor organization to require as a condition of employment membership therein, if such labor organization is the representative of the employees as provided in Section twelve, but such agreement shall not cover members of any religious sects which prohibit affiliation of their members in any such labor organization.'

"SEC. 2. This Act shall take effect upon its approval." Enacted, without Executive approval, June 18, 1961.

<sup>2</sup> Citing *Philippine Movie Pictures Workers Association vs. Premiere Productions, Inc.*, 50 O. G., 1096.

<sup>3</sup> Citing *San Carlos Milling Co., et al., vs. CIR, et al.*, L-15453-15723, March 17, 1961.

<sup>4</sup> Citing *Pagkakaisa Samahang Manggagawa ng SMB at mga Kasangay (PAFLU) vs. Hon. Juan Enriquez, et al.*, L-12999, July 26, 1960.

vember 13, 1964, defendant Company averred, among others, that (1) there is an existing working agreement between defendant Union and defendant Company providing for a "closed shop"; (2) plaintiffs resigned from the Union; (3) defendant Union insists that defendant Company comply with the contract recognizing a closed shop; and (4) if defendant Company does not comply with the collective bargaining agreement with the Union, it will be subjected to a suit for damages or risk the possibility of a strike for violation of the collective bargaining agreement. Defendant Company then prayed that plaintiffs and defendant Union be required to interplead their respective cases and that judgment be rendered in favor of whomsoever is entitled to just relief as may be proper under the circumstances.

Defendant-appellant Union, in its amended answer with affirmative and special defenses, dated March 26, 1965, to the amended complaint, alleged, among others, that the plaintiffs are covered by the collective bargaining contract as Republic Act No. 3350 under which they seek exemption from membership in the Union, is unconstitutional for it (1) impairs the obligations of contracts (Sec. 1[10], Art. III, 1935 Constitution); (2) denies to workers the right to equal protection of the laws (Sec. 1[1], Art. III, *id.*); (3) abridges the freedom of workers to form associations (Sec. 1[6], Art. III, *id.*); and (4) contravenes the constitutional mandate that the State shall afford protection to labor (Sec. 6, Art. XIV, *id.*); and that this Act was declared unconstitutional by the Court of Industrial Relations in the case of National Labor Union *vs.* Hacienda Luisita, et al., Case No. 49-IPA. Defendant-appellant Union then prayed that the complaint be dismissed.

Subsequently, or on March 31, 1966, the lower court rendered the aforementioned decision. From the aforesaid decision, defendant Union has appealed to this Court, contending that the lower court erred in not declaring Republic Act No. 3350 as unconstitutional, reiterating the arguments it advanced before the court *a quo*.

We find the appeal to be without merit.

To begin with, House Bill No. 5859, which later became Republic Act No. 3350, was enacted into law with the explicit purpose of safeguarding and maintaining inviolate the religious freedom of all individuals.<sup>5</sup>

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<sup>5</sup> "The italicized words (i.e., *but such agreement shall not cover members of any religious sects which prohibit affiliation of their members in any such labor organization*) are proposed to be added to the above-quoted provision in order to safeguard and maintain inviolate the religious freedom of all individuals. This proposed exception has for its source of authority the very provision of the Philippine Constitution which runs thus:

In this appeal, appellant labor union contends that Republic Act No. 3350 is violative of the fundamental charter, as (a) it infringes on the constitutional bar against a law respecting an establishment of religion or a religious test for the exercise of civil and political rights (Sec. 1[7]

‘No law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof, *and the free exercise and enjoyment of religious profession and worship without discrimination or preference, shall forever be allowed.* No religious test shall be required for the exercise of civil or political rights’. (Italic supplied, Article III, Section 1, Clause 7).

“The freedom of religion in a constitutional sense allows every person to entertain any belief of his relations to the Creator, and his obligation arising from such relation. He may follow any form of worship in accordance with such belief provided that the manifestation of such religious feeling is not inimical to the peace, safety, good order and morals of the community. Thus, the above-quoted constitutional provision explicitly guarantees the free exercise and enjoyment of religious profession and worship without discrimination or preference. It is not even within the competence of the Government to inquire into the truth or validity of a religious doctrine (U. S. *vs.* Ballard, 322 U.S. 78).

“It is clear then, that the ‘free exercise and enjoyment of religious profession and worship’ can be limited or regulated *only* if the same is inimical to the peace, safety, good order and morals of the community. The limitation goes only as far as the common welfare of the community suffers. Beyond that, the Constitution comes in to sanction and protect one’s religious faith and beliefs free from any molestation and agitation, whatsoever.

“The exception proposed to be added to the above-quoted proviso of the Industrial Peace Act (Rep. Act 875) would not be inimical to the peace, safety, good order and morals of the community; instead, it would work for the promotion of the same. It would be unthinkable indeed to refuse employing a person who, on account of his religious beliefs and convictions, cannot accept membership in a labor organization although he possesses all the qualifications for the job. That is tantamount to punishing such person for believing in a doctrine he has a right under the law to believe in. The law would not allow discrimination to flourish to the detriment of those whose religion discards membership in any labor organization. Likewise, the law would not commend the deprivation of their right to work and pursue a modest means of livelihood without in any manner violating their religious faith and/or belief. As it is now, Republic Act 875 gives preference to persons whose religion do not prohibit their joining any labor organization, in contrast to those who are placed in a dilemma of choosing between religion and employment, two salient civil liberties equally protected by the Constitution.

“It might be stated that with or without the proposed exception, employees whose religion does not prohibit membership in any labor organization will not be adversely affected. Republic Act 875 will continue to apply to them without embarrassing their religious doctrine and precepts. It is but natural, therefore, that a similar protection be extended to maintain inviolate the religious freedom of all others concerned.” (See Congressional Record, Vol. II—Part II, 1961, May 17, 1961, pp. 3300–3301.)

of Article III, 1935 Constitution, (b) impairs the obligation of contracts (Sec. 1[10], Art. III, *id.*), (c) denies the equal protection of the laws (Sec. 1[1], Art. III, *id.*). (d) abridges the freedom to form associations not contrary to law (Sec. 1[6], Art. III, *id.*), and (e) impairs the constitutional mandate that the State shall afford protection to labor (Sec. 5, Art. III; Sec. 6, Art. XIV, *id.*)

Recently, in *Benjamin Victoriano vs. Elizalde Rope Workers' Union, et al.*,<sup>6</sup> a unanimous Court sustained the constitutionality of Republic Act No. 3350. In rejecting the arguments advanced by appellant labor union, imputing to said statute alleged constitutional infirmities similar to those now asserted by the defendant-appellant in the case at bar, We declared:

"Both the Constitution and Republic Act No. 875 recognized freedom of association. Section 1[6] of Article III of the Constitution of 1935, as well as Section 7 of Article IV of the Constitution of 1973, provide that the right to form associations or societies for purposes not contrary to law shall not be abridged. Section 3 of Republic Act No. 875 provides that employees shall have the right to self-organization and to form, join or assist labor organizations of their own choosing for the purpose of collective bargaining and to engage in concerted activities for the purpose of collective bargaining and other mutual aid or protection. What the Constitution and the Industrial Peace Act recognize and guarantee is the 'right' to form or join associations. Notwithstanding the different theories propounded by the different schools of jurisprudence regarding the nature and contents of a 'right', it can be safely said that whatever theory one subscribes to, a right comprehends at least two broad notions, namely: first, liberty or freedom, i.e., the absence of legal restraint, whereby an employee may act for himself without being prevented by law; and second, power, whereby an employee may, as he pleases, join or refrain from joining an association. It is, therefore, the employee who should decide for himself whether he should join or not an association; and should he choose to join he himself makes up his mind as to which association he would join; and even after he has joined, he still retains the liberty and the power to leave and cancel his membership with said organization at any time. It is clear, therefore, that the right to join a union includes the right to abstain from joining any union. Inasmuch as what both the Constitution and the Industrial Peace Act have recognized, and guaranteed to the employee, is the 'right' to join associations of his choice, it would be absurd to say that the law also imposes, in the same breath, upon the employee the duty to join associations. The law does not enjoin an employee to sign up with any association.

"The right to refrain from joining labor organizations recognized by Section 3 of the Industrial Peace Act is, however, limited. The legal protection granted to such right to refrain from joining is withdrawn by operation of law, where a labor union and an employer have agreed on a closed shop, by virtue of which the employer may employ only members of the collective bargaining union, and the employees must continue to be members of the union for the duration of the contract in order to keep their jobs. Thus Section 4[a] (4)

<sup>6</sup>G. R. No. L-25246, September 12, 1974.

of the Industrial Peace Act, before its amendment by Republic Act No. 3350, provides that although it would be an unfair labor practice for an employer 'to discriminate in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization' the employer is, however, not precluded 'from making an agreement with a labor organization to require as a condition of employment membership therein, if such labor organization is the representative of the employees'. By virtue, therefore, of a closed shop agreement, before the enactment of Republic Act No. 3350, if any person, regardless of his religious beliefs, wishes to be employed or to keep his employment, he *must* become a member of the collective bargaining union. Hence, the right of said employee not to join the labor union is curtailed and withdrawn.

To that all-embracing coverage of the closed shop arrangement, Republic Act No. 3350 introduced an exception, when it added to Section 4[a] (4) of the Industrial Peace Act the following proviso: 'but such agreement shall not cover members of any religious sects which prohibit affiliation of their members in any such labor organization'. Republic Act No. 3350 merely excludes *ipso jure* from the application and coverage of the closed shop agreement the employees belonging to any religious sects which prohibit affiliation of their members with any labor organization. What the exception provides, therefore, is that members of said religious sects cannot be compelled or coerced to join labor unions even when said unions have closed shop agreements with the employers; that in spite of any closed shop agreement, members of said religious sects cannot be refused employment or dismissed from their jobs on the sole ground that they are not members of the collective bargaining union. It is clear, therefore, that the assailed Act, far from infringing the constitutional provision on freedom of association, upholds and reinforces it. It does not prohibit the members of said religious sects from affiliating with labor unions. It still leaves to said members the liberty and the power to affiliate, or not to affiliate, with labor unions. If, notwithstanding their religious beliefs, the members of said religious sects prefer to sign up with the labor union, they can do so. If in deference and fealty to their religious faith, they refuse to sign up, they can do so; the law does not coerce them to join; neither does the law prohibit them from joining; and neither may the employer or labor union compel them to join. Republic Act No. 3350, therefore, does not violate the constitutional provision on freedom of association.

"2. Appellant Union also contends that the Act is unconstitutional for impairing the obligation of its contract, specifically, the 'union security clause' embodied in its Collective Bargaining Agreement with the Company, by virtue of which 'membership in the union was required as a condition for employment for all permanent employees workers'. This agreement was already in existence at the time Republic Act No. 3350 was enacted on June 18, 1961, and it cannot, therefore, be deemed to have been incorporated into the agreement. But by reason of this amendment, Appellee, as well as others similarly situated, could no longer be dismissed from his job even if he should cease to be a member, or disaffiliate from the Union, and the Company could continue employing him notwithstanding his disaffiliation from the Union. The Act, therefore, introduced a change into the express terms of the union security clause; the Company was partly absolved by law from the contractual obligation it had with the Union of employing only Union members in permanent

positions. It cannot be denied, therefore, that there was indeed an impairment of said union security clause.

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"It should not be overlooked, however, that the prohibition to impair the obligation of contracts is not absolute and unqualified. The prohibition is general, affording a broad outline and requiring construction to fill in the details. The prohibition is not to be read with literal exactness like a mathematical formula, for it prohibits unreasonable impairment only. In spite of the constitutional prohibition, the State continues to possess authority to safeguard the vital interests of its people. Legislation appropriate to safeguarding said interests may modify or abrogate contracts already in effect. For not only are existing laws read into contracts in order to fix the obligations as between the parties, but the reservation of essential attributes of sovereign power is also read into contracts as a postulate of the legal order. All contracts made with reference to any matter that is subject to regulation under the police power must be understood as made in reference to the possible exercise of that power. Otherwise, important and valuable reforms may be precluded by the simple device of entering into contracts for the purpose of doing that which otherwise may be prohibited. The policy of protecting contracts against impairment presupposes the maintenance of a government by virtue of which contractual relations are worthwhile—a government which retains adequate authority to secure the peace and good order of society. The contract clause of the Constitution must, therefore, be not only in harmony with, but also in subordination to, in appropriate instances, the reserved power of the state to safeguard the vital interests of the people. It follows that not all legislations, which have the effect of impairing a contract are obnoxious to the constitutional prohibition as to impairment, and a statute passed in the legitimate exercise of police power, although it incidentally destroys existing contract rights, must be upheld by the courts. This has special application to contracts regulating relations between capital and labor which are not merely contractual, and said labor contracts, for being impressed with public interest, must yield to the common good.

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"In order to determine whether legislation unconstitutionally impairs contract obligations, no unchanging yardstick, applicable at all times and under all circumstances, by which the validity of each statute may be measured or determined, has been fashioned, but every case must be determined, upon its own circumstances. Legislation impairing the obligation of contracts can be sustained when it is enacted for the promotion of the general good of the people, and when the means adopted to secure that end are reasonable. Both the end sought and the means adopted must be legitimate, i.e., within the scope of the reserved power of the state construed in harmony with the constitutional limitation of that power.

"What then was the purpose sought to be achieved by Republic Act No. 3350? Its purpose was to insure freedom of belief and religion, and to promote the general welfare by preventing discrimination against those members of religious sects which prohibit their members from joining labor unions, confirming thereby their natural, statutory and constitutional right to work, the fruits of which work are usually the only means whereby they can maintain their own life and the life of their dependents. It cannot be gainsaid that said purpose is legitimate.

"The questioned Act also provides protection to members of said religious sects against two aggregates of group strength from which the individual needs protection. The individual employee, at various times in his working life, is confronted by two aggregates of power—collective labor, directed by a union, and collective capital, directed by management. The union, an institution developed to organize labor into a collective force and thus protect the individual employee from the power of collective capital, is, paradoxically, both the champion of employee rights, and a new source of their frustration. Moreover, when the Union interacts with management, it produces yet a third aggregate of group strength from which the individual also needs protection—the collective bargaining relationship.

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"It may not be amiss to point out here that the free exercise of religious profession or belief is superior to contract rights. In case of conflict, the latter must, therefore, yield to the former. The Supreme Court of the United States has also declared on several occasions that the rights in the First Amendment, which include freedom of religion, enjoy a preferred position in the constitutional system. Religious freedom, although not unlimited, is a fundamental personal right and liberty, and has a preferred position in the hierarchy of values. Contractual rights, therefore, must yield to freedom of religion. It is only where unavoidably necessary to prevent an immediate and grave danger to the security and welfare of the community that infringement of religious freedom may be justified, and only to the smallest extent necessary to avoid the danger.

"3. In further support of its contention that Republic Act No. 3350 is unconstitutional, appellant Union averred that said Act discriminates in favor of members of said religious sects in violation of Section 1[7] of Article III of the 1935 Constitution, and which is now Section 8 of Article IV of the 1973 Constitution, which provides:

'No law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof, and the free exercise and enjoyment of religious profession and worship, without discrimination and preference, shall forever be allowed. No religious test shall be required for the exercise of civil or political rights.'

"The constitutional provision not only prohibits legislation for the support of any religious tenets or the modes of worship of any sect, thus forestalling compulsion by law of the acceptance of any creed or the practice of any form of worship, but also assures the free exercise of one's chosen form of religion within limits of utmost amplitude. It has been said that the religion clauses of the Constitution are all designed to protect the broadest possible liberty of conscience, to allow each man to believe as his conscience directs, to profess his beliefs, and to live as he believes he ought to live, consistent with the liberty of others and with the common good. Any legislation whose effect or purpose is to impede the observance of one or all religions, or to discriminate inviciously between the religions, is invalid, even though the burden may be characterized as being only indirect. But if the state regulates conduct by enacting, within its power, a general law which has for its purpose and effect to advance the state's secular goals, the statute is valid despite its indirect burden on religious observance, unless the state can accomplish its purpose without imposing such burden.

"In *Aglipay vs. Ruiz*, this Court had occasion to state that the government should not be precluded from pursuing valid objectives



secular in character even if the incidental result would be favorable to a religion or sect. It has likewise been held that the statute, in order to withstand the strictures of constitutional prohibition, must have a secular legislative purpose and a primary effect that neither advances nor inhibits religion. Assessed by these criteria, Republic Act No. 3350 cannot be said to violate the constitutional inhibition of the 'no-establishment' (of religion) clause of the Constitution.

"The purpose of Republic Act No. 3350 is secular, wordly, and temporal, not spiritual or religious or holy and eternal. It was intended to serve the secular purpose of advancing the constitutional right to the free exercise of religion, by averting that certain persons be refused work, or be dismissed from work, or be dispossessed of their right to work and of being impeded to pursue a modest means of livelihood, by reason of union security agreements. To help its citizens to find gainful employment whereby they can make a living to support themselves and their families is a valid objective of the state. In fact, the state is enjoined, in the 1935 Constitution, to afford protection to labor, and regulate the relations between labor and capital and industry. More so now in the 1973 Constitution where it is mandated that 'the State shall afford protection to labor, promote full employment and equality in employment, ensure equal work opportunities regardless of sex, race or creed and regulate the relation between workers and employers.'

"The primary effects of the exemption from closed shop agreements in favor of members of religious sects that prohibit their members from affiliating with a labor organization, is the protection of said employees against the aggregate force of the collective bargaining agreement, and relieving certain citizens of a burden on their religious beliefs; and by eliminating to a certain extent economic insecurity due to unemployment, which is a serious menace to the health, morals, and welfare of the people of the State, the Act also promotes the well-being of society. It is our view that the exemption from the effects of closed shop agreement does not directly advance, or diminish, the interests of any particular religion. Although the exemption may benefit those who are members of religious sects that prohibit their members from joining labor unions, the benefit upon the religious sects is merely incidental and indirect. The 'establishment clause' (of religion) does not ban regulation on conduct whose reason or effect merely happens to coincide or harmonize with the tenets of some or all religions. The free exercise clause of the Constitution has been interpreted to require that religious exercise be preferentially aided.

"We believe that in enacting Republic Act No. 3350, Congress acted consistently with the spirit of the constitutional provision. It acted merely to relieve the exercise of religion, by certain persons, of a burden that is imposed by union security agreements. It was Congress itself that imposed that burden when it enacted the Industrial Peace Act (Republic Act 875), and, certainly, Congress, if it so deems advisable, could take away the same burden. It is certain that not every conscience can be accommodated by all the laws of the land; but when general laws conflict with scruples of conscience, exemptions ought to be granted unless some 'compelling state interest' intervenes. In the instant case, We see no such compelling state interest to withhold the exemption.

"Appellants bewails that while Republic Act No. 3350 protects members of certain religious sects, it leaves no right to, and is silent as to the protection of, labor organizations. The purpose of Republic Act No. 3350 was not to grant rights to labor unions. The rights of labor unions are amply provided for in Republic Act

No. 875 and the new Labor Code. As to the lamented silence of the Act regarding the rights and protection of labor unions, suffice it to say, first, that the validity of a statute is determined by its provisions, not by its silence; and, second, the fact that the law may work hardship does not render it unconstitutional.

"It would not be amiss to state, regarding this matter, that to compel persons to join and remain members of a union to keep their jobs in violation of their religious scruples, would hurt, rather than help, labor unions. Congress has seen it fit to exempt religious objectors lest their resistance spread to other workers, for religious objections have contagious potentialities more than political and philosophic objections.

"Furthermore, let it be noted that coerced unity and loyalty even to the country, and a *fortiori* to a labor union—assuming that such unity and loyalty can be attained through coercion—is not a goal that is constitutionally obtainable at the expense of religious liberty. A desirable end cannot be promoted by prohibited means.

"4. Appellant's fourth contention, that Republic Act No. 3350 violates the constitutional prohibition against requiring a religious test for the exercise of a civil right or a political right, is not well taken. The Act does not require as a qualification, or condition, for joining any lawful association membership in any particular religion or in any religious sect; neither does the Act require affiliation with a religious sect that prohibits its members from joining a labor union as a condition or qualification for withdrawing from a labor union. Joining or withdrawing from a labor union requires a positive act. Republic Act No. 3350 only exempts members with such religious affiliation from the coverage of closed shop agreements. So, under this Act, a religious objector is not required to do a positive act—to exercise the right to join or to resign from the union. He is exempted *ipso jure* without need of any positive act on his part. A conscientious religious objector need not perform a positive act or exercise the right of resigning from the labor union—he is exempted from the coverage of any closed shop agreement that a labor union may have entered into. How can there be a religious test required for the exercise of a right when no right need be exercised?

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"5. Appellant avers as its fifth ground that Republic Act No. 3350 is a discriminatory legislation, inasmuch as it grants to the members of certain religious sects undue advantages over other workers, thus violating Section 1 of Article III of the 1935 Constitution which forbids the denial to any person of the equal protection of the laws.

"The guaranty of equal protection of the laws is not a guaranty of equality in the application of the laws upon all citizens of the state. It is not, therefore, a requirement, in order to avoid the constitutional prohibition against inequality, that every man, woman and child should be affected alike by a statute. Equality of operation of statutes does not mean indiscriminate operation on persons merely as such, but on persons according to the circumstances surrounding them. It guarantees equality, not identity of rights. The Constitution does not require that things which are different in fact be treated in law as though they were the same. The equal protection clause does not forbid discrimination as to things that are different. It does not prohibit legislation which is limited either in the object to which it is directed or by the territory within which it is to operate.

"The equal protection of the laws clause of the Constitution allows classification. Classification in law, as in the other departments of knowledge or practice, is the grouping of things in speculation or practice because they agree with one another in certain particulars. A law is not invalid because of simple inequality. The very idea of classification is that of inequality, so that it goes without saying that the mere fact of inequality in no manner determines the matter of constitutionality. All that is required of a valid classification is that it be reasonable, which means that the classification should be based on substantial distinctions which make for real differences; that it must be germane to the purpose of the law; that it must not be limited to existing conditions only; and that it must apply equally to each member of the class. This Court has held that the standard is satisfied if the classification or distinction is based on a reasonable foundation or rational basis and is not palpably arbitrary.

"In the exercise of its power to make classifications for the purpose of enacting laws over matters within its jurisdiction, the state is recognized as enjoying a wide range of discretion. It is not necessary that the classification be based on scientific or marked differences of things or in their relation. Neither is it necessary that the classification be made with mathematical nicety. Hence legislative classification may in many cases properly rest on narrow distinctions, for the equal protection guaranty does not preclude the legislature from recognizing degrees of evil or harm, and legislation is addressed to evils as they may appear.

"We believe that Republic Act No. 3350 satisfies the aforementioned requirements. The Act classifies employees and workers, as to the effect and coverage of union shop security agreements, into those who by reason of their religious beliefs and convictions cannot sign up with a labor union, and those whose religion does not prohibit membership in labor unions. The classification rests on real or substantial, not merely imaginary or whimsical, distinctions. There is such real distinction in the beliefs, feelings and sentiments of employees. Employees do not believe in the same religious faith and different religions differ in their dogmas and canons. Religious beliefs, manifestations and practices, though they are found in all places, and in all times, take so many varied forms as to be almost beyond imagination. There are many views that comprise the broad spectrum of religious beliefs among the people. There are diverse manners in which beliefs, equally paramount in the lives of their possessors, may be articulated. Today the country is far more heterogeneous in religion than before, differences in religion do exist, and these differences are important and should not be ignored.

"Even from the psychological point of view, the classification is based on real and important differences. Religious beliefs are not mere beliefs, mere ideas existing only in the mind, for they carry with them practical consequences and are the motives of certain rules of human conduct and the justification of certain acts. Religious sentiment makes a man view things and events in their relation to his God. It gives to human life its distinctive character, its tone, its happiness, or unhappiness, its enjoyment or irksomeness. Usually, a strong and passionate desire is involved in a religious belief. To certain persons, no single factor of their experience is more important to them than their religion, or their not having any religion. Because of differences in religious belief and sentiments, a very poor person may consider himself better than the rich, and the man who even lacks the necessities of life may be more cheerful than the one who has all possible luxuries. Due to their religious beliefs people, like the martyrs, became resigned

to the inevitable and accepted cheerfully even the most painful and excruciating pains. Because of differences in religious beliefs, the world has witnessed turmoil, civil strife, persecution, hatred, bloodshed and war, generated to a large extent by members of sects who were intolerant of other religious beliefs. The classification, introduced by Republic Act No. 3350, therefore, rests on substantial distinctions.

"The classification introduced by said Act is also germane to its purpose. The purpose of the law is precisely to avoid those who cannot, because of their religious belief, join labor unions, from being deprived of their right to work and from being dismissed from their work because of union shop security agreements.

\* \* \* \* \*

"6. Appellant's further contention that Republic Act No. 3350 violates the constitutional provision on social justice is also baseless. Social justice is intended to promote the welfare of all the people. Republic Act No. 3350 promotes that welfare insofar as it looks after the welfare of those who, because of their religious belief, cannot join labor unions; the Act prevents their being deprived of work and of the means of livelihood. In determining whether any particular measure is for public advantage, it is not necessary that the entire state be directly benefited—it is sufficient that a portion of the state be benefited thereby.

"Social justice also means the adoption by the Government of measures calculated to insure economic stability of all component elements of society, through the maintenance of a proper economic and social equilibrium in the inter-relations of the members of the community. Republic Act No. 3350 insures economic stability to the members of a religious sect, like the Iglesia ni Cristo, who are also component elements of society, for it insures security in their employment, notwithstanding their failure to join a labor union having a closed shop agreement with the employer. The Act also advances the proper economic and social equilibrium between labor unions and employees who cannot join labor unions, for it exempts the latter from the compelling necessity of joining labor unions that have closed shop agreements, and equalizes, in so far as opportunity to work is concerned, those whose religion prohibits membership in labor unions with those whose religion does not prohibit said membership. Social justice does not imply social equality, because social inequality will always exist as long as social relations depend on personal or subjective proclivities. Social justice does not require legal equality because legal equality, being a relative term, is necessarily premised on differentiations based on personal or natural conditions. Social justice guarantees equality of opportunity, and this is precisely what Republic Act No. 3350 proposes to accomplish—it gives laborers, irrespective of their religious scruples, equal opportunity for work."

\* \* \* \* \*

As comprehensively observed by Justice Fernando in his concurring opinion in that case:

"3. There is, however, the question of whether such an exception possesses an implication that lessens the effectiveness of state efforts to protect labor, likewise, as noted, constitutionally ordained. Such a view, on the surface, may not be lacking in plausibility, but upon closer analysis, it cannot stand scrutiny. Thought must be given to the freedom of association, likewise an aspect of intellectual liberty. For the late Professor Howe, a constitutionalist and in his

lifetime the biographer of the great Holmes, it even partakes of the political theory of pluralistic sovereignty. So great is the respect for the autonomy accorded voluntary societies. Such a right implies at the very least that one can determine for himself whether or not he should join or refrain from joining a labor organization, an institutional device for promoting the welfare of the working man. A closed shop, on the other hand, is inherently coercive. That is why, as is unmistakably reflected in our decisions, the latest of which is *Guijarno vs. Court of Industrial Relations*, it is far from being a favorite of the law. For a statutory provision then to further curtail its operation, is precisely to follow the dictates of sound public policy."

Plaintiffs-appellees cannot, therefore, be summarily dismissed from their employment in the defendant Company as a result of their resignation from the appellant notwithstanding the existence of a union shop clause in the labor union collective bargaining agreement, as Republic Act No. 3350 exempts them from joining any labor organization, when such is contrary to their religious beliefs and convictions. We have also previously held that a member of a labor union may leave and cancel his membership with the union at anytime. When an employee or laborer joins a labor union, he does not make any commitment or assume an undertaking to continue his membership therein for any fixed period of time, much less indefinitely. The moment he has resigned or separated from the Union, he is no longer obliged to pay his dues and assessments to said organization.<sup>7</sup> We find, therefore, no error in the trial court's order, requiring both the company and defendant-appellant labor Union to reimburse all union dues and assessments collected from plaintiffs-appellees from the date of their resignations as members of the Union until the date of the last collection.

WHEREFORE, the appealed decision is hereby affirmed, with costs against the defendant-appellant:

*Fernando, J., Chairman, Barredo, Fernandez and Aquino, JJ., concur.*

*Decision affirmed.*

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<sup>7</sup>*Pagkakaisa Samahang Manggagawa ng SMB at Mga Kasangay (PAFLU) vs. Hon. Juan Enriquez, et al., supra,*

[No. L-39028. November 20, 1974]

### FIRST DIVISION

FERNANDO TANDOC and DOMINGO TANDOC, petitioners, *vs.*  
COURT OF APPEALS, HON. SIXTO A. DOMONDON, former  
Judge Court of First Instance of Pangasinan, RUPERTO  
TANDOC and ISIDORO TANDOC, respondents.

*Tomas B. Tadeo* for the petitioners.

*Fortunato S. Viray* for the respondents.

APPEAL from a decision of the Court of Appeals.

### SYNOPSIS

On the penultimate day for perfecting appeal, petitioners filed their notice of appeal and record on appeal. The only item lacking to perfect the appeal was the filing of appeal bond which they asked the lower court to dispense with through a verified motion to litigate as paupers, filed on the same day. The said motion was denied; but the very next day after receipt of the order, petitioners filed an urgent motion for extension of time to file the appeal bond, which they filed *within* the requested extension and *before* the lower court acted to deny the same. The Court of Appeals sustained the trial court's declaration of finality of its adverse decision on the ground that the filing of an appeal bond cannot be extended under the Rules of Court; hence, the present petition to set aside appellate court's decision and to allow petitioner's appeal from the lower court's adverse decision.

The Supreme Court declared that the lower court acted with abuse of discretion in not granting the short extension for filing the appeal bond and in denying it even after the appeal bond had actually been filed within the requested extension.

### SYLLABUS

#### of the Ruling of the Court

1. APPEAL; APPEAL BOND; DENIAL OF EXTENSION TO FILE APPEAL BOND AFTER MOTION TO LITIGATE AS PAUPER HAD BEEN DENIED CONSTITUTES ABUSE OF DISCRETION.—While the lower court may have correctly denied petitioners' motion to litigate as paupers (from a strict and technical point of view, although the trend of legislation has been to consider as indigents "anyone who has no visible means of income or whose income is insufficient for his family," the Court finds that it acted with grave abuse of discretion in not granting the short extension for the filing of the appeal bond requested by petitioners and in denying such extension even after the appeal bond had actually been filed within five days of receipt of its order refusing them permission to appeal as paupers and to be thus exempted from the filing of the appeal bond.

2. *Id.*; *Id.*; *Id.*—The denial of petitioner's motion to appeal as paupers does not result in forfeiture of their right to appeal. On the contrary, it constitutes grave abuse of discretion to deny them a reasonable opportunity and period (which would not cause any prejudice) to file the required appeal bond which became necessary *only* because of the denial of their motion for exemption.
3. *Id.*; *Id.*; FILING OF APPEAL BOND MAY BE EXTENDED FOR JUSTIFIABLE REASONS.—The lower court manifestly erred in ruling that the period for filing an appeal bond is inextendible even for justifiable reasons and in rejecting the bond which was promptly filed within the requested extension even before it arbitrarily denied the extension. Thus, in the spirit of Rule 1, Section 2, for a liberal construction of the Rules, an extension to file appeal bond within the extended period for filing record on appeal may be granted and the appeal therein given due course so as not to defeat a party's right to appeal by a mere procedural technicality, as long as the appealing party or his counsel has not displayed gross negligence in the prosecution of his case.
4. *Id.*; *Id.*; *Id.*—The rule that failure to file the appeal bond within the reglementary period is fatal is not to be applied where there is a showing of justifiable reasons for the delay in the submission of the requirements of Rule 41, section 3 for the perfection of the appeal.
5. *Id.*; *Id.*; *Id.*—The fact that the motion to appeal as paupers was filed only on the next to the last day of the original period for perfecting appeal cannot be unjustly termed inexcusable negligence, it appearing that appellants were so hard put to filing the appeal bond that they had to ask for exemption therefrom upon the filing of their notice and record on appeal; and the circumstance that their counsel did not think earlier of filing such a motion for exemption when there seemed to be good ground therefor and the filing thereof in good faith has not been questioned—does not justify the arbitrary forfeiture of the appeal.
6. COURTS; MOTIONS FOR EXTENSION; COURT SHOULD ADOPT RECEPTIVE ATTITUDE AND CIRCUMSPECT CONSIDERATION OF MERITS OF MOTIONS FOR EXTENSION.—While the allowance or denial of motions for postponement or for extensions of time rests principally upon the sound discretion of the court to which they are addressed, a receptive attitude and circumspect consideration by the court of merits of the motion for extension (or postponement) and of a subsequent motion for reconsideration and for giving due course to the appeal with due regard for the higher interest of justice, sense of fairness, and due process are called for rather than an attitude of arbitrary and inflexible denial.
7. *Id.*; *Id.*; *Id.*; DISCRETION OF TRIAL COURTS SHOULD BE EXERCISED WISELY.—The discretion of courts to grant or deny motions for extension or postponement should always be predicated on the consideration that, more than mere convenience of the courts or of the parties in the case, the ends of justice and fairness would be served thereby; and that it is sound judicial discretion to allow a reasonable transfer of hearing or request for extension timely filed when no substantial rights are affected and the intention to delay is not manifest. Such discretion must be exercised wisely and prudently, never capriciously, with a view to substantial justice.

## OPINION OF THE COURT

TEEHANKEE, J.:

The Court sets aside the appellate court's decision sustaining the lower court's declaration of finality of its adverse decision. The Court holds that the lower court acted with grave abuse of discretion in not granting the short extension for the filing of the appeal bond requested by petitioners (which they had asked to be exempted from upon their filing within the original reglementary period of a motion to appeal as paupers together with their notice of appeal and record on appeal) and in denying such extension even *after* the appeal bond had actually been filed within five days of receipt of its order denying petitioners' motion to appeal as paupers and to be thus exempted from the filing of the appeal bond.

The pertinent facts which basically deal with petitioners' right to appeal from an adverse decision of the Pangasinan court of first instance (which denied petitioners' timely motion to appeal as paupers and denied their motion for extension to file a ₱240.—appeal bond *after* they had actually filed such bond within the requested extended period) are related in the appellate court's appealed decision, as follows:

\* \* \* \* \*

"It appears from the pleadings that Emeteria Tandoc filed in the Court of First Instance of Pangasinan, Branch VIII, an original application for registration, Land Registration Case No. D-883. This was opposed by the private respondents, Ruperto and Isidoro, both surnamed Tandoc. The said private respondents Ruperto and Isidoro Tandoc filed a civil case for *reivindicacion* involving the same parcels of land against Emeteria Tandoc, also before the Court of First Instance of Pangasinan, Civil Case No. D-1987. During the pendency of the proceedings, Emeteria Tandoc died and she was substituted by the petitioners, as applicants and defendants. The two cases were tried jointly. Decision was rendered on February 26, 1973, copy of which was received by counsel for the petitioners on *August 15, 1973*. On *September 13, 1973*, the petitioners filed a petition praying that they be permitted to *litigate as paupers*. Petitioners also filed their record on appeal on *September 13, 1973*, but *not the appeal bond* in view of their *motion to litigate as paupers*. The private respondents opposed the motion on October 17, 1973 and an order was issued by the respondent Judge on October 17, 1973, *denying* the motion of the petitioners to *litigate as paupers* (Annex A). Copy of this order was *received* by the petitioners on *October 24, 1973*. On *October 25, 1973*, petitioners filed an urgent motion for extension of time within which to *file the appeal bond, as they are very poor* (Annex B). On *October 29, 1973*, the petitioners *filed their appeal bond*. The motion for extension of time within which to file the appeal bond was *denied* on *October 30, 1973*. On *December 3, 1973*, the respondent Judge granted the motion for the issuance



of a writ of possession, *declaring* that the *decision* had become *final* for failure to perfect their appeal.”<sup>1</sup>

The appellate court, while finding that “the motion to litigate as paupers was filed within the period for perfecting the appeal, but was denied only *after* the expiration of the said period,” nevertheless sustained the lower court’s declaration of finality of its adverse decision based on its (the lower court’s) “considered opinion that the filing of an appeal bond can not be extended and is unextendible in accordance with the Rules of Court.”<sup>2</sup>

The appellate court ruled that “while a motion for extension of time to file an appeal, including the filing of the appeal bond, does not suspend the running of the period within which the appeal should have been perfected, the motion may, nevertheless, be acted upon favorably even after the expiration of the 30-day period for perfecting the appeal. Unfortunately, for the petitioners, the motion to litigate as paupers was denied; \* \* In any case, the granting or denial of a motion to litigate as a pauper lies within the sound discretion of the trial judge. He is in a better position than this Court to determine whether the movants are indigents or not”; that “petitioners are likewise guilty of inexcusable negligence in filing their motion to litigate as paupers on the day before the expiration of the period for perfecting the appeal. \* \* \* Further, since the petitioners filed the motion on the day before the last day for perfecting the appeal, it was their bounden duty to see to it that their motion was acted upon before the expiration of the reglementary period;” and that since the motion to litigate as paupers did not suspend the running of the period for perfecting the appeal, the appeal bond filed on October 29, 1973 within the requested extension (which was denied afterwards by the lower court) was filed “out of time” and “the court had lost jurisdiction to act upon it, as at the time it was filed, the decision had become final.”

Hence, the present petition to set aside the appellate court’s decision and to allow petitioners’ appeal from the lower court’s adverse decision with the elevation of their record on appeal and appeal bond.

The petition has merit and should be granted

It is undisputed that petitioners’ notice of appeal and record on appeal were timely filed on September 13, 1973 *within* the original 30-day reglementary period; and that the only item lacking to perfect their appeal was the filing of an appeal bond which they asked the lower court to dispense with through their timely filing on the same day,

<sup>1</sup> Italic supplied.

<sup>2</sup> Rollo, p. 39.

September 13, 1973, of their verified motion to litigate as paupers<sup>3</sup> as they were "poor, have no employment nor property and without means."<sup>4</sup> When the lower court denied their motion as per its order received by petitioners on October 24, 1973, they immediately filed *on the very next day* an urgent motion for extension of time within which to file the appeal bond, invoking again their poverty and lack of means—which they were able to file in the amount of P240.00 on October 29, 1973 *within* the requested extension and *before* the lower court acted on their extension which it denied subsequently per its order of October 30, 1973.

While the lower court (according to the appellate court) mentioned as grounds for denying petitioners' motion to appeal as paupers the fact that they appeared to own real property and petitioner Fernando Tandoc was a farmer by occupation, there is nothing in the record to dispute the principal reason cited by them, *viz* that they were poor and consequently could not readily file the appeal bond, was in any way without basis or untrue or filed with intention to delay or prejudice the adverse parties. Petitioners in fact insisted on the contrary that the sole ground for the lower court's denial of their motion to litigate as paupers was petitioner Fernando Tandoc's statement of his occupation as a farmer but that this did not warrant denying the factual basis of his motion that "he is without means to prosecute an appeal." Thus, petitioners invoke the social justice provisions of the Constitution and its mandate that access to the courts be not denied by reason of poverty.

Under these circumstances, while the lower court may have correctly denied petitioners' motion to litigate as paupers (from a strict and technical point of view, although the trend of legislation has been to consider as indigents "anyone who has no visible means of income or whose income is insufficient for his family,"<sup>5</sup> the Court finds that it acted with grave abuse of discretion in not granting the short extension for the filing of the appeal bond requested by petitioners and in denying such extension even after the appeal bond had actually been filed within five days of receipt of its order refusing them per-

<sup>3</sup> Under Rule 3, section 22, the authority to litigate as pauper includes an exemption for payment of legal fees and from filing of appeal bond, printed record and printed brief.

<sup>4</sup> Rollo, p. 38.

<sup>5</sup> Under Rep. Act 6034 providing transportation and other allowances for indigent litigants, sec 1. See also definition to same effect in Rep. Act 6033 requiring courts to give preference to criminal cases involving indigents and in Rep. Act 6035 requiring the giving of free transcripts to "indigent and low income litigants."

mission to appeal as paupers and to be thus exempted from the filing of the appeal bond.

Had the lower court exercised its discretion in favor of petitioners by granting their motion to appeal as paupers, there would be no question about the appeal since they had timely filed the notice of appeal and record on appeal and they would have been exempted from filing the P240.— appeal bond. Its denial of petitioners' motion did not mean however that petitioner's right of appeal was thereby forfeited. On the contrary, it constituted grave abuse of discretion to deny them a reasonable opportunity and period (which would not cause any prejudice) to file the required appeal bond which became necessary *only* because of the denial of their motion for exemption.

The lower court manifestly erred in ruling that the period for filing an appeal bond is inextendible even for justifiable reasons and in rejecting the bond which was promptly filed within the requested extension even *before* it arbitrarily denied the extension. Thus, in *Fernandez vs. Zurbano*<sup>6</sup> the Court upheld the implied granting of an extension to file the appeal bond within the extended period for filing the record on appeal and ordered that the appeal therein be given due course (reversing the lower and appellate courts' dismissal of the appeal for late filing of the appeal bond), holding in the spirit of Rule 1, section 2 for a liberal construction of the Rules that "under the facts obtaining in the case, petitioner's right to appeal must not be defeated by a mere procedural technicality as long as the appealing party or his counsel has not displayed gross negligence in the prosecution of his case." The Court therein stressed that the general rule that failure to file the appeal bond within the reglementary period is fatal<sup>7</sup> is not to be applied where there is a showing of justifiable reasons for the delay in the submission of the requirements of Rule 41, section 3 for perfection of the appeal.

The fact that petitioners filed their motion to appeal as paupers only on the next to the last day of the original period for perfecting their appeal was unjustly termed inexcusable negligence by the appellate court. It is apparent from the facts of record that petitioners were hard put to filing the appeal bond and therefore asked for exemption therefrom upon the filing of their notice and record on appeal. The circumstance that their counsel did not think earlier of filing such a motion for exemption—when there seemed to be good ground therefor and the

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<sup>6</sup> 21 SCRA 1058, 1062 (1967)

<sup>7</sup> *Salva vs. Palacio*, 90 Phil. 731 and *Conlu vs. Court of Appeals*, 106 Phil. 940.

filing thereof in good faith has not been questioned—does not justify the arbitrary forfeiture of petitioners' appeal.

As the Court has stressed time and again, while it is true that the allowance or denial of motions for postponement or for extensions of time rests principally upon the sound discretion of the court to which they are addressed, a receptive attitude and circumspect consideration by the court of the merits of the motion for extension (or postponement) and of a subsequent motion for reconsideration and for giving due course to the appeal with due regard for the higher interest of justice and a sense of fairness and due process are called for rather than an attitude of arbitrary and inflexible denial.

Thus, in *Cucio vs. Court of Appeal*,<sup>8</sup> the Court reiterated the now Chief Justice's admonition in *Limon vs. Candido*.<sup>9</sup> that "such discretion should always be predicated on the consideration that more than the mere convenience of the courts or of the parties in the case the ends of *justice and fairness* would be served thereby' and that 'it is sound judicial discretion' to allow a reasonable transfer of hearing or request for extension timely filed 'when *no substantial rights* are affected and the intention to delay is not manifest.'" The Court further stressed therein the established rule that the discretion of trial courts (and all courts for that matter) "must be exercised wisely and prudently, never capriciously, with a view to substantial justice."

ACCORDINGLY, the appellate court's decision is hereby set aside and in lieu thereof, judgment is hereby rendered annulling the lower court's questioned orders and ordering it instead to approve petitioners' record on appeal and appeal bond and to forward petitioners' appeal to the appellate court for proper proceedings and determination. With costs against private respondents.

*Makalintal, C.J., Castro, Esguerra and Muñoz Palma, JJ., concur.*

*Makasiar, J., took no part.*

*Decision set aside.*

<sup>8</sup> 57 SCRA 64, 68 (May 24, 1974) and cases cited; emphasis copied.

<sup>9</sup> 27 SCRA 1166, 1169 (1969). See also *PVTA vs. Angeles*, L-29736, Oct. 31, 1974.

[No. L-31860. November 29, 1974]

## SECOND DIVISION

PEOPLE OF THE PHILIPPINES, plaintiff-appellee, *vs.* AMELITO BELTRAN, defendant-appellant.

*Solicitor General Estelito P. Mendoza, Assistant Solicitor General Dominador L. Quiroz and Solicitor Sinfronio I. Ancreta* for the plaintiff-appellee.

*Tranquilino O. Calo, Jr.*, for the defendant-appellant.

APPEAL from a decision of the Court of First Instance of Agusan (Butuan City). Ferrer, *J.*

## SYNOPSIS

The lower court found appellant Beltran guilty of murder on the basis of the testimonies of the Dua brothers identifying him as the person who fatally shot the victim. The Supreme Court noted that the testimonies of the Dua brothers were highly improbable, that the Dua brothers executed their statements only after they were arrested as suspects in the commission of the crime and that there was no circumstance from which appellant's motive in committing the crime can be inferred. In view of the unreliability of the identification of the appellant, the Supreme Court gave credence to appellant's alibi and concluded that his guilt was not proven beyond reasonable doubt.

Judgment reversed.

## SYLLABUS of the Ruling of the Court

1. EVIDENCE; WITNESS; IDENTIFICATION OF THE ACCUSED; PROOF BEYOND REASONABLE DOUBT REQUIRED.—The identity of the offender, like the crime itself, must be proven beyond reasonable doubt. Thus, a judgment of conviction based on the testimonies of two brothers identifying the accused as the person who fatally shot the victim should be reversed if the credibility of such testimonies is impaired by apparent improbability.
2. ID.; ID.; ID.; SUBJECTIVITY OF PERCEPTION; RECOGNITION UNRELIABLE.—The question of identification has proved itself over and over again, by far, the most perplexing. As one court has observed: "There are few more difficult subjects with which the administration of justice has to deal. The carelessness or superficiality of observers, the rarity of powers of graphic description, and the different force with which peculiarities of form or color or expression strike different persons, make recognition or identification one of the least reliable of facts testified to even by actual witnesses who have seen the parties in question."
3. ID.; ID.; CREDIBILITY; POSITIVE TESTIMONY CONTRADICTED BY CONTRARIENESS TO COMMON EXPERIENCE.—It has been observed that the most positive testimony of a witness may be contradicted

by the fact that the testimony is contrary to common observation or experience, or the common principles by which the conduct of mankind is governed. The courts are not required to believe that which they judicially know to be incredible.

4. ID.; ID.; ID.; LACK OF SPONTANEITY AND SINCERITY IMPAIRS CREDIBILITY.—The fact that after seeing a neighbor killed a shocking manner, the alleged eyewitnesses continued chatting until nine o'clock that night then retired and slept soundly, and although they saw the police authorities inquiring from the people there as to how and by whom the victim was killed when they went to see the cadaver of the victim the following morning they never bothered to inform the police of what they knew shows lack of spontaneity and sincerity and impairs the credibility of their testimonies.
5. ID.; ID.; ID.; SUSPICIOUS MOTIVE OF WITNESSES IN INCRIMINATING ACCUSED IMPAIRS THEIR CREDIBILITY.—The fact that the alleged eyewitnesses themselves were also arrested as suspects in the commission of the crime and it was only then that they executed their respective statements implicating the appellant renders their motive in so incriminating appellant highly suspicious and impairs the credibility of their testimonies.
6. ID.; MOTIVE; EVIDENCE OF MOTIVE NECESSARY IN IDENTIFICATION OF ACCUSED INCONCLUSIVE.—It is true that motive is not essential for the conviction of an accused where there is no doubt as to his identity as the culprit, but where the identification proceeds from an unreliable source and the testimony is inconclusive and not free from doubt, then evidence of motive becomes necessary.
7. ALIBI; IMPORTANCE THEREOF WHERE ACCUSED NOT POSITIVELY IDENTIFIED.—The defense of alibi assumes importance when the identification of the accused is unreliable. While it is true that an alibi is the weakest defense that an accused can avail of, it requires commensurate strength where no positive and proper identification has been made by witnesses of the offender.
8. EVIDENCE; BURDEN OF PROOF; PROSECUTION MUST ESTABLISH GUILT OF ACCUSED.—The prosecution has the *onus probandi* in establishing the guilt of the accused and weakness of the defense does not relieve it of this responsibility.
9. ID.; PROOF BEYOND REASONABLE DOUBT; MEANING THEREOF.—To overcome the constitutional presumption of innocence, the guilt of the accused must be shown beyond reasonable doubt. While this does not connote absolute certainty, it means that degree of proof which after an investigation of the whole record, produces moral certainty in an unprejudiced mind of accused's culpability. It signifies such proof "that convinces and satisfies the reason and conscience of those who are to act upon it" that the defendant is guilty of the crime charged.
10. ID.; ID.; ID.; PROOF MUST SURVIVE TEST OF REASON.—The proof against the accused must survive the test of reason; the strongest suspicion must not be permitted to sway judgment. The conscience must be satisfied that on the defendant could be laid the responsibility for the offense charged; that not only did he perpetrate the act but that it amounted to a crime.

## OPINION OF THE COURT

ANTONIO, J.:

Appeal from the judgment of the Court of First Instance of Agusan dated May 13, 1969, finding appellant Amelito Beltran guilty of murder in Criminal Case No. 2769 and sentencing him to suffer the penalty of *reclusión perpetua*, with all the accessory penalties provided by law, to indemnify the heirs of Clemente Pingol in the sum of ₱6,000.00, and to pay the costs.

There appears to be no dispute as to the basic fact that on the evening of September 21, 1963, Clemente Pingol was fatally shot from behind with a shotgun while he was in the sale of the unfinished house of Crisanto Tubo at Barrio Tagpangahoy of the Town of Tubay, Province of Agusan. A report of the incident reached the Chief of Police of Tubay and on the following day, September 22, 1963, Chief of Police Zotico Cepeda, Pat. Juanito Antiporda, Municipal Judge Edgardo Batitang, and Dr. Jose Encarnado, of Tubay, proceeded to the scene of the crime. They saw the body of Clemente Pingol sprawled on the floor of the sala in the unfinished house of Crisanto Tubo. As shown by the sketch (Exhibit "A") prepared by Pat. Antiporda, the house is situated 19 meters from the seashore, and consisted of a small sala which was completely open because it had no walls, and the living quarters on the western portion thereof which was enclosed with walls. On the western wall were found two pellet holes (Exhibits "E-3" and "E-4"). Northeast of the sala about four and a half (4-1/2) meters away was a coconut tree (Exhibit "A-6"). An autopsy on the deceased was performed. According to the necropsy report, the victim sustained eight (8) punctured wounds which were caused by shotgun pellets, the right lung was totally mutilated and the third right rib fractured. Death was due to internal hemorrhage as a consequence of the injury to the right lung and to the brain.

It was only on September 30, 1963, however, when Ernesto Dua and Raymundo Dua implicated Amelito Beltran as the person who fatally shot the deceased. On the basis of the statements of the Dua brothers, Sgt. Francisco Umbao of the constabulary filed, on October 1, 1963, with the Justice of the Peace Court of Tubay, a complaint for murder against appellant Amelito Beltran. Solely on the basis of the identification made by the Dua brothers, the court *a quo* found appellant guilty beyond reasonable doubt of murder and rendered the judgment heretofore adverted to.

Since the conviction of appellant was based on the testimonies of Ernesto Dua and Raymundo Dua, there is,

therefore, a need to scrutinize carefully their respective testimonies. Raymundo Dua, 25 years of age, farmer of Tubay, Agusan, testified that at about 8:00 o'clock on the evening of September 21, 1963, while he was at the porch of their house at Bo. Tagpangahoy, Town of Tubay, Agusan, conversing with his brothers, mother and father, he saw appellant helping one Felimon Sandigan haul a banca from the sea to the shore; that afterwards, appellant walked past their house carrying a shotgun on his shoulders and proceeded directly towards the house of Crisanto Tubo and upon reaching a coconut tree in front of the house, concealed himself behind said tree and fired with his shotgun at Clemente Pingol; that at the time of the shooting, Pingol was then sitting and facing Crisanto Tubo with whom he was conversing; that Tubo was with his wife and adopted child; that appellant was then about three (3) arms length from Pingol when he fired the shot; that he could recognize the face of Amelito Beltran because of the light coming from a torch locally known as "moron"; that after shooting the victim, appellant Beltran fled from the scene by taking the same route, passing near the porch of the house of the witness; and on the following morning, he went to the house of Crisanto Tubo where the police were already investigating the incident and saw the body of the deceased still sprawled on the floor. On cross-examination, he indicated that their house was about fifty to sixty meters distant from that of Crisanto Tubo, and between those two houses was the unoccupied house of Eulogio Tilleno; that in spite of that distance, he claimed that he could distinctly hear the ordinary conversation going on between Tubo and Pingol who were talking and joking with each other for quite some time in the presence of Anselma, Tubo's wife; that at the time they were conversing, they were facing each other with the back of Clemente Pingol towards the coconut tree; that when he saw somebody aim a shotgun at Pingol, he did not shout because he was afraid; that he did not inform the police immediately of what he saw.

His younger brother, Ernesto Dua, gave substantially identical testimony.

#### I

The important question to be determined is whether the appellant was the person who perpetrated the offense. Examining carefully the evidence of the prosecution about the identity of the assailant, We find that the prosecutor's evidence leaves much to be desired. The identity of the offender, like the crime itself, must be proven beyond reasonable doubt. The question of the identification of an accused as the perpetrator of an offense might seem to be the simplest that could possibly come before a court. But the fact is precisely the reverse. The question of iden-



tification has proved itself over and over again, by far, instead the most perplexing. As one court has observed: "There are few more difficult subjects with which the administration of justice has to deal. The carelessness or superficiality of observers, the rarity of powers of graphic description, and the different force with which peculiarities of form or color or expression strike different persons, make recognition or identification one of the least reliable of facts testified to even by actual witnesses who have seen the parties in question. \* \* \*"<sup>1</sup>

In the case at bar, the identification of appellant bears heavily on the reasonableness or probability of the testimony of these witnesses. It has been observed that the most positive testimony of a witness may be contradicted by the fact that the testimony is contrary to common observation or experience,<sup>2</sup> or the common principles by which the conduct of mankind is governed.<sup>3</sup> The courts are not required to believe that which they judicially know to be incredible.<sup>4</sup>

## II

According to appellant, the credibility of the testimonies of Raymundo and Ernesto Dua is impaired by their apparent improbability. We agree. We find it highly improbable that appellant would make his presence so conspicuous to these witnesses by passing near them with a shotgun on his shoulders immediately before and even after shooting the victim. According to the prosecution witnesses, a person can bring his banca ashore immediately behind the house of Crisanto Tubo, and, therefore, can go to the coconut tree in front of Tubo's house without passing by the house of the Duas. It is quite incredible, therefore, that appellant, instead of taking the shorter and more direct route, should have taken the longer and more circuitous route by landing behind the house of the Dua brothers, then walk past the porch of their house where the Dua brothers were conversing with the rest of their family and in plain view of these people, proceed to the place of the victim.

Considering that visibility was practically nil, as according to the prosecution evidence, the night was so dark that a person ten meters away could not be seen, much less recognized, it is highly improbable that the Dua brothers could have distinctly recognized appellant who was allegedly

<sup>1</sup> *Estate of Bryant*, 176 Pa. 309, 318, 35 Atl. 571, 577 cited in Wall, Eye-Witness Identification in Criminal Cases, 1965 ed.

<sup>2</sup> *People vs. Vergara*, 82 Phil., 207; *People vs. Bentley*, 191 NE. 230, 357 Ill. 82, 98 C.J.S., p. 340, note 45.

<sup>3</sup> *People vs. Sagayno*, Nos. L-15961-62, October 31, 1963; *Tierney vs. Hotz*, 55 A. 2d 39, 141 N.J. Eq. 114, 98 C.J.S., p. 341, note 46;

<sup>4</sup> *People vs. Zapata*, No. L-11074, February 27, 1960; *Larsen, vs. Bliss*, 91 P. 2d 811, 43 N.M. 265 98 C.J.S., p. 341, note 47.

hiding behind a coconut tree about fifty to sixty meters away. It is true that they claim that they were able to recognize appellant by the light of a torch ("moron"), but the infirmity of this assertion lies in the fact that an assassin hiding behind a coconut tree would certainly not expose his face to the light to enable others to identify and recognize him. Apart from this, according to the sketch prepared by the police (Exhibit "A"), the kerosene lamp was placed inside the sleeping quarters of Crisanto Tubo which was partly enclosed with walls, and not in the sala of the house where Tubo, with his wife and adopted child, were conversing with the victim. Considering the location of the lamp, its limited luminosity and the pitch-black darkness of the night, it is highly implausible that even with the aid of such light, Raymundo and Ernesto Dua could have positively recognized the face of an assailant hiding behind a coconut tree about fifty or sixty meters away. Moreover, if it were true that Crisanto Tubo was talking with Pingol at the time when the latter was shot from behind, it is evident that Tubo was in the best position to see the assailant, but it appears that this person was neither investigated nor questioned by the police in connection with the incident. This indicates that the assailant was able to conceal his presence in such a manner that even Tubo was not able to see him. It should be noted also that the conduct of these witnesses immediately after witnessing a startling occurrence shows lack of spontaneity and sincerity. Thus, after seeing a neighbor killed in a shocking manner, in an apparent indication of lack of concern, they continued chatting until nine o'clock that night, then retired and slept soundly, and although they saw the police authorities inquiring from the people there as to how and by whom the victim was killed, when they went to see the cadaver of the victim in the house of Tubo the following morning, they never bothered to inform the police of what they knew.

"Q. After that conversation that night, you slept?

A. Yes, sir.

Q. So with Raymundo Dua you were able to sleep?

A. Raymundo Dua did not go to bed yet.

Q. You mean to say you left Raymundo Dua when you went to sleep?

A. No, sir, we were still conversing.

Q. Up to what time were you conversing in the evening?

A. Up to nine o'clock in the evening.

Q. And after nine o'clock you and Raymundo Dua and your parents went to sleep?

A. Yes, sir.

Q. And you woke up the next morning already?

A. Yes, sir.

Q. And when you woke up you had your breakfast?

A. Yes, sir.

Q. You did not go to your farm that morning?

A. No, sir.

Q. And you said you went to the house of Tubo that morning, you went there because you saw some persons and policemen going to the house of Tubo that morning is it not?

A. Yes, sir.

Q. And when you went there you did not talk with anybody?

A. Nobody.

Q. And nobody talked to you?

A. Nobody.

Q. You feel uneasy on the witness stand, are you sick?

A. I have just recovered from malaria.

Q. On that morning after the incident, you did not go to the municipal building of Tubay, Agusan is it not?

A. No, sir.

Q. As a matter of fact, when the policemen brought the body of Pingol to the municipal building you did not go with them?

A. I did not go.

Q. How about your brother Raymundo Dua, did he go with them or not?

A. He did not go." (t.s.n., April 5, 1968, pp. 41-42).

The testimony of Raymundo on this point is the same (t.s.n., April 3, 1968, p. 20):

"Q. You went to the house of Tubo because you noticed there were already policemen there?

A. Yes, sir.

Q. If you did not see any policemen, you would not have gone to the house of Tubo?

A. That is right.

\* \* \* \* \*

Q. You did not bother to talk or give them any information?

A. No sir, I did not."

It should be noted that the Dua brothers themselves were also arrested as suspects in the commission of the crime and it was only then that they executed their respective statements implicating the appellant. This circumstance renders their motive in so incriminating appellant highly suspicious:

"Q. On that morning of the incident you did not go to the municipal building of Tubay, Agusan, is it not?

A. Yes, sir.

Q. As a matter of fact, when the policemen brought the body of Pingol to the municipal building you did not go with them?

A. I did not go.

Q. How about your brother Raymundo Dua, did he go with them or not?

A. He did not go.

Q. From that date you did not go anymore or report the matter to what you narrated to the authorities in the municipal building of Tubay, Agusan?

A. We were arrested by the police.

Q. You were arrested because you were suspected as having shot Clemente Pingol?

A. Yes, sir.

Q. As a matter of fact the PC soldier told you that if you will not testify against Amelito Beltran you will be the one in jail, is it not?

A. Yes, sir.

Q. And because you were afraid that you will be sent to jail, you agreed to testify against Amelito Beltran?

A. Yes, sir.

“Q. And when you were brought to the municipal building of Tubay you were told by the PC Sgt. Umbao to sign a certain paper or affidavit, is it not?

A. Yes sir, he made us sign.

Q. And this is the affidavit which we request to be marked as Exhibit 2, which is found on pages 3 and 4 of the record, which Sgt. Umbao told you to sign, is it not?

A. Yes, sir.

Q. And after you signed, PC soldier Umbao told you that he will bring you to the judge and to tell the judge that the contents of this affidavit are true and you will answer yes, is that correct?

A. Yes, sir.

Q. And in compliance with his order, when you were brought before the judge and when the judge asked you whether the contents of the affidavit were true, you answered ‘Yes’, is it not?

A. We were made to swear before him.

Q. And after you have appeared before Judge Batitang you were released and you were told to go home, is it not?

A. Yes, sir” (t.s.n., *supra*, pp. 42-43, Sanchez).

Finally, there is nothing in the record any fact or circumstance from which We can deduce or infer the existence of any possible motive on the part of appellant to commit this heinous crime. It is true that motive is not essential for the conviction of an accused where there is no doubt as to his identity as the culprit, but where the identification proceeds from an unreliable source and the testimony is inconclusive and not free from doubt, then evidence of motive becomes necessary.<sup>5</sup> Here, the identification of the appellant as the assailant of the victim is not convincing. In view of the unreliability of the identification of appellant, the defense of alibi interposed by him, therefore, assumes importance. According to appellant, he was in Barrio Lucbon of the said municipality from the afternoon of September 21, 1963 to the early morning of September 22, 1963 attending to the making of coprax for Ofemio Novero. This testimony was corroborated by Realino Botoy, a farmer and resident of Tubay, and by Ofemio Novero, the person who employed appellant. These witnesses also affirm that on the evening of September 21, 1963, it was dangerous to travel by

<sup>5</sup> Cf. *U.S. vs. McMann*, 4 Phil., 561; *People vs. Tagasa*, 68 Phil., 153; *People vs. Caggavan*, 94 Phil., 118; *U.S. vs. Sespene, et al.*, 102 Phil., 209; 210; *People vs. Murray*, 105 Phil., 591; *People vs. Cunanan*, 19 SCRA 769, 781; and *People vs. Herila*, 51 SCRA 31.

means of a *boroto* or small banca from Lucbon to Tagpangahoy, the situs of the incident, as the tide was not only high but the waves were very big. Appellant also explained that prior to this incident, Ernesto and Raymundo Dua were ejected from the land of his grandfather because they stole his coconuts, which act the Duas must have resented.

While it is true that an "alibi is the weakest defense that an accused can avail of, it acquires commensurate strength where, as in this case, no positive and proper identification has been made by the witnesses of the offender. The prosecution has the *onus probandi* in establishing the guilt of the accused and the weakness of the defense does not relieve it of this responsibility."<sup>6</sup>

Considering the aforecited infirmities of the testimonies of the prosecution witnesses, We are not satisfied that the constitutional presumption of innocence accorded to appellant has been overcome. To overcome that presumption, the guilt of appellant must be shown beyond reasonable doubt. While this does not connote absolute certainty, it means that degree of proof which after an investigation of the whole record, produces moral certainty in an unprejudiced mind of appellant's culpability. It signifies such proof "that convinces and satisfies the reason and conscience of those who are to act upon it" that the defendant is guilty of the crime charged.<sup>7</sup>

As Justice Fernando emphasized: "The proof against him must survive the test of reason; the strongest suspicion must not be permitted to sway judgment. The conscience must be satisfied that on the defendant could be laid the responsibility for the offense charged; that not only did he perpetrate the act but that it amounted to a crime."<sup>8</sup>

Accordingly, the judgment *a quo* is reversed, and the appellant, Amelito Beltran, is hereby acquitted. Costs *de oficio*.

*Fernando, J., Chairman, Barredo, Fernandez, and Aquino, JJ., concur.*

*Judgment reversed.*

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<sup>6</sup> *People vs. Baquiran*, 20 SCRA 451, 460-61; and *People vs. Cruz*, 32 SCRA 181, 187.

<sup>7</sup> *People vs. Lavarias*, L-24339, June 29, 1968; and *People vs. Dramayo*, L-21325, October 25, 1971.

<sup>8</sup> *People vs. Reyes*, L-36874-76, September 30, 1974.

## MGA HATOL NG HUKUMAN NG MGA PAGHAHABOL

(DECISIONS OF THE COURT OF APPEALS)

RICARDO G. DE LEON, CHIEF, REPORTER'S DIVISION

[TA-R.G. Num. 11625-KR.\* Marso 5, 1974]\*\*

ANG BAYAN NG FILIPINAS, ang nagsasakdal at apelado,  
*laban kay* ROLANDO AGUSTIN y DE LA CRUZ, nasasakdal at apelante.

PAGNANAKAW NA MAY PAG-GAMIT NG DAHAS LABAN SA TAO; PANG-AAGAW NG RELO; MGA PANGYAYARING NAGPAPATUNAY SA SUMBONG LABAN SA NASASAKDAL.—Sa mga pangyayaring ang nagsasakdal ay maliwanag na nagsalaysay na matapos maagaw sa kaniya ang kaniyang relo ay iniabot ang relo ng nang-agaw sa nasasakdal; na hindi naipaliwanag ng pagtatanggol kung bakit sa paghabol sa mga nang-agaw ang nasasakdal ang nahuli na ang ibig sabihin ay mahirap paniwalaan na siya ang huhulihin kung wala siyang kinalaman; na ayon sa pulisyang si Roberto Guiang na dumalo ay nakitang ang nasasakdal ay mayroong mga galos sa mukha na ang ibig sabihin ay talagang pinarusahan ng mga nagsigibik at humabol sa mga nang-agaw at nakita ayon din kay Guiang na isinauli ng nasasakdal ang relo sa inagawan bagay na hindi maipaliwanag ng malinaw kung bakit nasa kanya ang relo sa-pagkat hindi kapanipaniwala na kung ang relo ay tutuong nasa kay Boy Aure ay bakit ito ay ipapasa pa kung kani-kanino gayong siya naman—si Boy Aure—ay nakatakbo na at malayang nakaligtas sa pagkakahuli; na walang sapat na katibayang naiharap na makapagpapatunay na lumagda lamang ang nasasakdal sa Exh. "A" (pag-amin sa labas ng Hukuman) sa dahilang siya ay pinarusahan. PASIYA: Ang lahat nang ito ay nakapagpapaniwalang taimtim sa Hukumang ito na totoo ang paratang at di nagkamali ang Hukom sa ibaba.

PAGHAHABOL laban sa pasiya ng Hukumang Unang Dulugan ng Maynila. Serafin B. Cuevas, *H.*

Ang mga pangyayari ay sinasaysay sa kuro-kuro ng Hukuman.

*Fidel N. Vivar* para sa nasasakdal at apelante.

*Procurador General Felix Q. Antonio, Pansamantalang Procurador General Alicia V. Sempio-Diy* at *Procurador Lolita O. Gal-lang* para sa nagsasakdal at apelado.

GATMAITAN, *M.*:

SA PAGSUSURI: Sa Kriminal No. 93654 Hukuman Ng Unang Dulugan ng Maynila, ukol sa pagnanakaw na dito, matapos maiharap ang sakdal noong 15 Agosto, 1969, at

\* Vol. 19 C.A.R. (2s), p. —.

\*\* Ang usaping ito ay handang pagpasiyahan noong 30 Setyembre, 1971, subalit naging isa sa mga 100 usaping ipinasok sa aming Dibis-yong matapos ipamahagi noong 26 Octubre, 1973; Ang Pasiyang ito ay naabot pagkaraan ng mga pagbubulaybulay na natapos noong ika 1 ng Marso, 1974.

matapos pa rin ang pinagtatakdang mga hakbang, ay ipinahayag ng Hukom ang Kaniyang hatol na nagpapasiyang,

"WHEREFORE, finding the guilt of the accused Rolando Agustin y de la Cruz to have been established beyond reasonable doubt, he is hereby declared *GUILTY* of the crime of Robbery as charged in the information and sentenced to an indeterminate penalty of TWO (2) YEARS, FOUR (4) MONTHS and ONE (1) DAY, as minimum, to SIX (6) YEARS of *prisión correccional*, as maximum, and to pay the costs.

No civil liability is imposed upon the accused, it appearing that the 17-jewel Seiko lady wrist watch has been recovered and returned to the offended party." pp. 90-91, Expediente,

na ito nga ang ini-akyat dito ng nasasakdal batay sa mga di-umano'y mga pagkakamaling isinaad sa kaniyang alegato;

NA GANITO ANG MGA PANGYAYARI: Noong 14 Agosto, 1969, mga a las 11:35 ng umaga, si Lennie Ilagan, dalaga at estudyante sa La Concordia, noon ay nasa Calle Herran sa tapat ng colegio, at naghihintay ng sasakyan upang makauwi sa McKinley, Pasig, Rizal sapagkat tapos na ang kaniyang mga klase; noon din, walang ano-ano'y may umagaw ng kaniyang reloj de pulseras', 17 kilates Seiko, sumigaw siya ng "Ang relo ko!", at ang mga nagdaraan ay sumigaw ng "Magnanakaw" at hinabol ang nang-agaw na may kasamang dalawa at lahat ay nangagsitakbo, subalit ang nahuli ng mga sumaklolo ay ang nasasakdal na si Rolando Agustin, sa darating naman si Policia Roberto Guiang, at sa kaniya ibinigay si Rolando na isinauli naman nito ang relo, at si Rolando pagkatapos ay dinala sa Himpilan ng Pulisya sa Sta. Ana, na dito, matapos mapagtatanong, ay lumagda ng salaysay, Exh. A, mga ala 1:15 ng tanghali, p. 10 expediente, at tuloy siya nga ay isinakdal kinabukasan sa pagkaagaw ng nasabing relo, at ang Piskal sa Paglilitis ay pinatunayan ang mga nasabi,—sa pamamagitan ng kaniyang mga saksi;

Subalit ang Pagtatanggol sa pamamagitan din ng mga saksi ay tinangkang patunayan na si Rolando ay walang kinalaman; siya noong umaga ng 14 ng Agosto, 1969 ay nagsimba sa simbahan ng St. Jude sa Kalye J.P. Laurel, pagkatapos umuwi na siya,—siya ay taga Fabie Subdivision, Paco, kung kaya nang matapat sa Bagong Buhay Health Center, sapagkat siya ay bibili ng 'ball pen' ay tumawid ng kalye Herran subalit karakaraka'y hinawakan siya ng tatlo katao, at ang isa ay sumigaw ng,

"Ito nga iyon, kasing taas, kasing katawan, at ganito rin ang kulay ng damit."

pagkatapos dinala siya sa isang opisina sa Herran na J.B. Productions, at nang siya ay nasa loob na, kinapkapan siya, at wala namang nakuhang relo, lamang nang dumating na ang pulisya, isang nangangalang Francisco Bue-

naventura ay ipinakita ang relo at sinabing iyon ang relo, ngunit iyon ay bigay lamang sa kaniya ni Rolando Flores, 'janitor' ng J.B. Productions na ito naman ay nakuha iyon sa kay Boy Aure, ang tunay na nangagaw, sa kasawiang-palad, si Rolando Agustin, ang nasasakdal, ay ipiniit din, dinala sa Himpilan sa Sta. Ana, siniyasat at dahil sa pinahirapan doon, ay napilitang lumagda sa Exh. A;

Ngunit ang Hukom sa ibaba, matapos mapakinggan ang dalawang panig ay di siya pinaniwalaan, at ipinasiyang may kasalanan at linapatan ng parusang nabanggit,—ito na nga ang dahil kung kaya sa paghahabol na ito, ay pinaninindigan na ang Hukom ay nagkamali,

I . . . in overlooking basic and fundamental requisites of law with respect to judgment of conviction that the commission of the crime charged must be proven beyond the shadow of a reasonable doubt, or as the rule and the law require, there must be that moral certainty that accused commit the offense as borne by the evidence adduced;

II. . . . in substituting its unsupported deduction, inferences and conclusions of facts, despite the absence of factual basis from the evidence adduced during the trial which, despite the lack of factual basis, made the said deductions in convicting the accused herein;

III. . . . in showing its partiality in giving too much weight to the hearsay and inconsistent testimonies of the two police officers, Patrolmen Evangelista and Guiang, who, as the records show were not present in the scene of the commission of the crime, against witnesses of the defense who were actually at the scene; and despite the serious inconsistency of the testimonies of the witnesses for the prosecution, the same were given weight and credence by the court a quo over the witnesses of the defense, who because of their age and being inexperienced is incapable of fabricating facts in testifying:

IV. . . . in giving merit to a supposed written confession of the accused, despite the clear proof that the same was procured through force, intimidation and deceit, resorted to by the police authorities to conceal the arbitrary manner the accused was impleaded, and preparatory to indictment brutally maltreated by them and their co-conspirators;

V. That despite the clear showing of the partiality and the gross inefficiency of the police in handling the case, where normal prerequisites of prosecuting an alleged offender is to be observed, the lower court overlooked the same, on the contrary, the trial court saddle its judgment on the basis of the testimonies of the same;

VI. That the trial court erred in overlooking the fact, that immediately after the herein accused was transferred confinement and detention from Police District No. 9 at Sta. Ana, Manila to the City Jail, immediate meditation was had by the appellant, and it was not only on September 26, 1969 that he had his first treatment of his injuries inflicted by the police officers at the Police Precinct 9;

VII. That the court a quo fail to appreciate the fact that based on the submitted evidence of the prosecution, that the herein accused simply received the watch (arguendo) from the snatcher, who was never identified nor any attempt to apprehend him was shown on the submitted evidence of the prosecution, confederation or conspiracy to commit the said offense by this appellant was never estab-



lished; added to this is the fact, that (arguendo) according to Patrolman Roberto Guiang, one of the witness for the prosecution when he came to the supposed scene of the commission of the offense, herein accused was returning the watch to the offended party;

VIII. Once again the trial court failed to consider the fact, that if the supposed stolen watch, robbed or stolen by a third person, assuming for the sake of argument such an incident occurred, was returned by the recipient of the watch to the offended party, the law and jurisprudence on the matter exempt a person from any penal liability for having received the stolen article and had it repossess by the lawful owner; undoubtedly it is more, in the language of the "law a reward for one who may be in the verge of committing a wrong and had one of his foot in an indecisive stage come to a consciousness of siding with righteousness;

IX. That viewed from the foregoing considerations, the trial court erred in condemning the accused-appellant for such a serious offense of robbery;

X. That once again, the trial court lose sight of the fact that in this particular situation, considering the accused is not one of the known wayward teen aged boy, proven by the records of the case, on the contrary he comes from a family where discipline is not overlooked, proven by the fact, that when the father of the accused, who, upon being informed by his co-police officers was allegedly involved in the commission of the crime charged, trusting and believing his co-police officers, right there and there violently slapped his emaciated son in the police precinct without giving his son the opportunity of telling him what his co-officers had done to his son. The herein accused was never charged or suspected of having violated even a minor offense before he was accused of this serious offense, most particularly crimes involving dishonesty. Added to this is the fact that he is a student in the High School, a stamp of accomplishment for our young boys that entitles them to a presumption of uprightness, and the bright prospect of being useful elements of society. Added to this is the fact, that from an overall review of the attending circumstances of the case, a more careful and closer appreciation of the facts of the case, the fact that there is the danger of error in identifying the accused as the companion of the unknown snatcher, as per testimony of the complainant herself, we respectfully submit, any impartial court could have extended a more fairer and conscientious evaluation of the incident which the trial court failed to observed in rendering a judgment of conviction." pp. 5-7, Appellant's Brief.

na ang lahat ng ito ay uuwi sa isang katanungan, kung batay бага sa mga katibayan at batas, ay dapat pagtibayin ang hatol na iniakyat;

SAPAGKAT: Maliwanag ang salaysay ni Lennie na matakpos maagaw sa kaniya ang relo, ang nang-agaw ay ini-abot ang relo sa isang kasama na ito nga ang nasasakdal,

"Q. After your watch was snatched by the other fellow, what did he do with the watch?

A. It was given . .

Q. After it was snatched from your hand, what did that other person do with that watch?

A. He passed it to him (the witness pointing to the accused).  
tsn. 1:34, witness, Lennie Ilagan;

at sapagkat ang nasasakdal na rin ay inamin na nang mga sandaling iyon ay kabababa niya sa sasakyan sa may tapat ng Health Center, na tapat din ng Concordia, sa madaling sabi, siya ay naroroon sa mga paligidligid ng pinangyarihan, hindi madaling pawalang bisa ang sinabi ni Lennie, kung sa bagay, ang pagkakaagaw ay madalian, at ang uma-gaw ay tumakbo, at ang ibig sabihin, ang likod ng magna-nakaw marahil ang nakita ni Lennie, at gayon din likod lamang ng pinag-abutan,—di umano'y si Rolando Agustin,—ang siya rin niyang nakita,—gayon pa man, ang pinag-tatakan ng Hukumang ito ay kung bakit di rin itinatua ng Pagtatanggol na kung bakit sa paghabol sa tatlong magkakasama ay nahuli si Rolando Agustin, kung si Rolando Agustin ay di kasama, mahirap paniwalaan na siya ay huhulihin, hindi lamang ito, kung bakit ang pulisyang si Roberto Guiang, na dumalo ay nakitang si Rolando Agustin ay may mga galos at kamot sa mukha, ibig sabihin ay talagang pinarusahan ng mga nagsigibik sa kay Lennie at humabol sa nangagaw at mga kasama nito, hindi lamang ito, kung bakit ayon sa kay Pat. Guiang ay nakita niyang si Rolando Agustin noon ding sandaling iyon ay isinauli ang relo sa kay Lennie, tsn. 1:16; totoo, na ayon sa Pagtatanggol, di si Rolando Agustin ang nagsauli, kundi ang nangyari daw, ang tunay na nagnakaw, na si Boy Aure ay linapitan ni Rolando Floro, 'janitor' ng J.B. Productions, at pinakiusapang isauli ang relo, at ibinigay naman ni Boy Aure ang relo sa kay Rolando Flores, at ito naman ay ibinigay kay Francisco Buenaventura, at si Francisco ang nagsauli ng relo,—subalit tunay na mahirap paniwalaan ang salaysay na ito ni Rolando Flores,—

Sapagkat kung totoo na si Boy Aure noong sandaling iyon ay wala na, nakatakbo na, maligayang, nakaligtas sa pagkakahuli, sinumang nasa kaniyang katayuan ay di isasauli ang relo, di lamang sapagkat nasa kaniya na, kundi sa sandaling kaniyang isauli ay ito ay matinding katibayan laban sa kaniya; dahil dito ay naniniwalang Hukumang ito na kasinungalingan ang salaysay ni Rolando Flores, ang totoo noong sandaling mahuli ng mga nagsigibik si Rolando Agustin, ay nakita sa kaniyang katawan ang relo at kaniyang isinauli, matapos siyang maparusahan sa katawan ng mga nagsigibik; at kung mayroon pang natitirang alinlangan, tandaan na nang siya ay dalhin sa Himpilan ay kaniyang linagdaan ang Exh. A, sa wikang Tagalog, at kaniyang inamin na siya ang pinagabutan ni Boy (Aure) matapos maagaw ni Boy ang relo kay Lennie; idadagdag pa rin ng Hukumang ito na nakapagtataka, na galing na si Rolando Agustin sa Simbahan sa St. Jude, pauwi na siya, bumababa na siya sa sasakyan, kung bibili lamang siya ng 'ball pen', bakit pa siya tumawid ng Kalye Herran at tumapat sa Concordia, sa oras ng labasan ng mga 'co-

legiala' at tungkol sa kaniyang sabi na kung kaya niya li-nagdaan ang Exh. A ay dahil sa siya ay pinarusahan, ang paniwala ng Hukumang ito ay totoo na siya ay tumanggap ng parusa ngunit hindi sa Himpilan, kundi bago siya ma-piit, siya ay pinarusahan ng mga taong sumaklolo at gumibik at sa kaniya'y nakahuli, sapagkat wala siyang saking ibang iniharap na nagpapatunay na talagang sa loob ng Himpilan, siya nga ay pinarusahan,—ang lahat nang ito ay nakapagpapaniwalang taimtim sa Hukumang ito na totoo ang paratang at di nagkamali ang Hukom sa ibaba;

DAHIL DITO ay pinagtitibay ang hatol na iniakyat, lamang ang parusa ay ginawang buhat sa DALAWANG (2) TAON, APAT (4) NA BUWAN at ISANG (1) ARAW ng *prisión correccional* hanggang sa ANIM (6) NA TAON, ISANG (1) BUWAN at ISANG (1) ARAW ng *prisión mayor* upang mai-akma sa Art. 294, par. 5 ng Kodigo Penal Revisado, at ang apelante pa rin ang siyang magbabayad ng gugol sa usapin.

GANITO ANG IPINAGUUTOS.

*Reyes, L.B., at Plana, HH., sumasangayon.*

*Ang pasiya ay pinawalang bisa.*

[No. 45022-R. June 26, 1974] \*

HEIRS OF RUFINO REULA, ET AL., plaintiffs and appellees,  
*vs.* EUFEMIO *aliyas* EUGENIO AYA-AY, defendant and  
appellant.

HOMESTEADS; TRANSFER OF RIGHTS; APPROVAL OF DEPARTMENT SECRETARY IS NECESSARY BEFORE THE ISSUANCE OF A PATENT.— Under Section 20 of Commonwealth Act No. 141, which speaks of transfer of homestead rights “after the approval of the application and before the patent is issued” and when “the applicant cannot continue with his homestead,” any transfer, to be valid, can only be made with the approval of the Secretary of Agriculture and Natural Resources. Conversely, before the approval of such application, any transfer made by a landholder to another is valid as between the parties.

APPEAL from a judgment of the Court of First Instance of Misamis Occidental. Mariano A. Zcsa, *J.*

The facts are stated in the Opinion of the Court.

*Paulino A. Conol* for defendant and appellant.

*Vicente M. Blanco* for plaintiffs and appellees.

GAVIOLA, JR., *J.*:

Action for quieting of title, with damages.

The following facts are not in dispute: That the land in question is part of a parcel of land under Original Certificate of Title No. 358, issued on Oct. 16, 1939, (previously Homestead Patent No. 56015, Exh. “A”) in the name of Rufino Reula, hereinafter referred to as appellee, on Sept. 7, 1939. The portion in question, now possessed by Eufemio Aya-ay, hereinafter referred to as appellant, is more particularly described in Exhibit A-1; that the land in question was sold to appellant by Rufino Reula, father of herein appellees, under a duly notarized Absolute Deed of Sale, on Oct. 22, 1928, (Exh. “1”) following which sale he (the appellant) immediately took possession thereof, planting coconut trees thereon in addition to food crops; that the possession of said land continued, up until the herein case was filed, or a period of 39 years, and on to the present; and that this possession was continuous, open, public, and adverse as against the whole world, and especially as against the herein appellees.

After trial on the merits, judgment was rendered for the appellees, the dispositive portion of the decision reading as follows:

“PREMISES CONSIDERED, the Court concludes and so hold that the document of sale in favor of Eufemio Aya-ay having been undertaken after the approval of the homestead application of Rufino Reula, must perforce be with the previous approval, and as there was no such approval, is, therefore, null and void. It being the case, it constitutes a cloud on the title of the plaintiffs. Exh. ‘1’,

the deed executed by Rufino Reula in favor of Eufemio Aya-ay is hereby decreed cancelled and of no effect and the defendant ordered to return the possession of the land in question to plaintiffs. Defendant having been in possession and in enjoyment of the property need not be reimbursed of the amount he paid to Rufino Reula by virtue of the contract, Exh. '1'. Without costs."

from which decision the appeal was taken on the following assignment of errors:

- "I. The lower court erred in declaring that the homestead application of Rufino Reula had already been approved by the director of lands at the time of the execution of the deed of sale (Exhibit '1') in favor of Eufemio Aya-ay.
- "II. The lower court erred in declaring that the deed of sale (Exhibit '1') in favor of Eufemio Aya-ay is null and void.
- "III. The lower court erred in declaring that the defendant could not acquire the land in question by way of prescription.
- "IV. The lower court erred in not holding that the plaintiffs have lost their right to recover the property from the defendant under the doctrine of estoppel by laches.
- "V. The lower court erred in not ordering the plaintiffs to reconvey to the defendant the portion of land in question described in paragraph 4 of the complaint.
- "VI. The lower court erred in ordering the defendant to return the possession of the land in question to the plaintiffs."

Appellees did not file any brief.

On the errors assigned, it appears that the main issue to be resolved is whether or not the sale of the land in question by Rufino Reula to the herein appellant was null and void as found by the lower court.

The court *a quo* anchored its findings of nullity on the ground that at the time the land in question was sold to the appellant by the father of the appellees, the application of Rufino Reula for a Homestead Patent was already approved; and since the sale did not carry with it the approval of the Secretary of Agriculture and Natural Resources, the same was null and void. The court *a quo* added that this must have been so since Rufino Reula was already in possession of the land described in Exhibit A at the time the sale of the land in question, Exhibit A-1, was executed. Necessarily, the court *a quo* went on, the application for a Homestead Patent must then have been already approved, otherwise Rufino Reula could not have been permitted or authorized to take possession of the land.

We have, however, reviewed the records of this case and no where may it be assumed that Mr. Reula's application for a Homestead Patent over the area described in Exhibit "A" was already approved at the time the land in question was sold to herein appellant on Oct. 22, 1928. On the contrary, we note that the Homestead Patent was issued on Sept. 7, 1939 and the Original Certificate of

Title issued on Oct. 16, 1939. There is no evidence when the application for a Homestead Patent was filed. The only logical inference that can be drawn from these facts is that Rufino Reula had long been in possession in concept of owner over the parcel of land described in Exhibit A-1 and, when he sold the same to herein appellant in 1928, Reula had not yet applied for a Homestead Patent.

But be that as it may, Section 20 of Commonwealth Act No. 141 speaks of transfer of homestead rights "after the approval of the application and before the patent is issued" and when "the application cannot continue with his homestead." In such a case, any transfer, to be valid, can only be made with the approval of the Secretary of Agriculture and Natural Resources. Conversely, before the approval of such application, any transfer made by a land holder to another is valid as between the parties. The case of *Dawan vs. Sec. of Agriculture and Natural Resources, et al* (19 SCRA 226) is not in point, not only because there is no evidence direct or circumstantial showing that an application for Homestead Patent was filed, and much less approved at the time the sale was made, but also because there is no evidence to show that Rufino Reula could "not continue with his homestead." Again, the evidence on the contrary shows that Rufino Reula has never abandoned his homestead. In fact he acquired an original certificate of title thereof after the patent thereto was issued.

Appellant is therefore entitled to a reconveyance of title to the area in question particularly described in Exhibit A-1. Records show that the appellant had been in possession over this parcel of land long before the vendor applied for a Homestead Patent; that after the said vendor applied for a Homestead Patent over the area described in Exhibit A, he included in fraud of the appellant, the land in question Exhibit A-1 which he had previously sold to the latter; that the appellant, being illiterate, was promised a separate tax declaration by Reula from the time the land in question was sold to him; that appellant was contributing to Reula his share of the taxes on the land described in Exhibit A; that it was only on the advice of friends that he managed to get a tax declaration for Exhibit A-1 on Sept. 11, 1958 when the land in question was first declared in his name; that thereafter, the land taxes were paid retroactively from 1954 to 1968 with corresponding official receipts issued therefor (par. 5, stipulation of facts).

We further note that Reula died shortly after the liberation; that after his death and before 1958, appellant contributed regularly the sum of P12.00 a year to appellee Victoria Reula, for the taxes of the land described in

Exhibit A of which his land, i.e. the land in question Exhibit A-1 is a part; that on Nov. 14, 1966, the herein appellees had the appellant summoned by the Mayor of Oroquieta to prove his ownership of the land in question and it was only then he learned for the first time that his land had been included in the Homestead Patent of the appellees' predecessor-in-interest, Rufino Reula.

Now appellees seek to use the principle of the imprescriptibility and indefeasibility of title under our Torrens system against the herein appellant, citing doctrines of the Supreme Court along the line. We are not persuaded. Clearly, the inclusion of Exhibit A-1 in Reula's application for a Homestead Patent over the area covered by Exhibit A, which he previously sold to appellant (Exh. 1) without informing the latter about it, is in actual fraud against the latter. This is more than a mere "intention to deprive another of (his) just rights," and constitutes, "the essential characteristics of actual fraud." It has never been conceived that the Torrens system would lend itself as an instrument of fraud (*Minlay vs. Sandoval*, 53 SCRA, 2-12). There is a void of evidence supporting appellees' ownership of the land in question. The registration thereof in the name of appellees in fraud of the appellant vested in the former no title to the land. His ostensive title to Exhibit A-1 as part of Exhibit A is no more than a title held in trust for herein appellant and as such can at any time be the object of reconveyance barring legal impediments (*Eladjoe vs. Leaño*, 53 SCRA 45).

WHEREFORE, judgment appealed from is reversed. The Deed of Sale, Exhibit "1" between appellant Eufemio Ayaay and the deceased Rufino Reula is declared valid and binding not only upon the deceased but also upon his heirs, the herein appellees. The appellees are hereby ordered to reconvey to the appellant the land in question described in Exhibit A-1, par. 4 of the complaint, with costs against the appellees.

SO ORDERED.

*Reyes L.B. and De Castro, JJ., concur.*

*Judgment reversed.*

[No. 49394-R. June 28, 1974]\*

EQUITABLE INSURANCE & CASUALTY COMPANY, INC., plaintiff and appellee, *vs.* BLUE FUNNEL LINE LTD., ET AL., defendants and appellants.

1. EVIDENCE; JUDICIAL ADMISSIONS; ORAL OR IMPLIED; FAILURE TO OBJECT TO ORDER AS ACCEPTANCE OF CONTENTS.—For failure to object to the pre-trial order, a party is deemed to have accepted the contents thereof. Judicial admission may be oral; or it may be implied from the conduct of the party. The precise form which the admission may assume is immaterial. (5 Martin, Rules of Court, 1970 ed., p. 46.)
2. ID.; ENTRIES IN THE COURSE OF BUSINESS; WORD "ENTRIES" DOES NOT NECESSARILY REFER TO BOUND BOOKS.—The word "entries" in Section 37, Rule 130, Rules of Court, need not refer in its restricted sense to those made in books or other records which are bound together, such as books of accounts, docket books, bank books, registers, etc.

APPEAL from a judgment of the Court of First Instance of Manila. Conrado M. Vasquez, *J.*

The facts are stated in the opinion of the Court.

*Siguion Reyna, Montecillo, Belo & Ongsiako* for defendants and appellants.

*Conrado R. Mañgahas & Associates* for plaintiff and appellee.

SERRANO, *J.*:

This is an appeal from the decision of the Court of First Instance of Manila in Civil Case No. 81790 ordering defendants Blue Funnel Line, Ltd. and Soriamont Steamship Agencies, jointly and severally, to pay plaintiff Equitable Insurance and Casualty Company, Inc., a sum of money.

G.B. Marketing, as consignee, insured with the plaintiff under Marine Policy No. 46733 (Exh. C) three pallets and two loose cartons of truck parts (roller bearings) to be shipped from Liverpool, England, to Manila aboard the SS *Anchises*, a vessel owned and operated by defendant Blue Funnel Line, Ltd., which is licensed to do business in the Philippines through its local agent, defendant Soriamont Steamship Agencies.

The shipment, per bill of lading (Exh. A), supposedly consisted of a total of 32 cartons, placed in two pallets of 12 cartons each, one pallet of 6 cartons and 2 loose cartons.

Upon arrival of the vessel on February 11, 1970, it docked at Pier 5 of the Port of Manila, which was under the management of E. Razon, Inc., as arrastre contractor. An on-board survey was conducted by R. J. del Pan & Co. at the instance of the defendants, which did not disclose the result thereof. After the discharge of the cargo to the

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custody of the arrastre contractor, the latter made a request for bad order survey (Exh. H), the result of which is shown in the bad order report (Exhs. G, G-1 and G-2).

On February 23, 1970, the cargo was delivered by a broker, the Eastern Brokerage Co., Inc., to the consignee. The cargo receipt, Exhibit I, shows the delivery of one pallet with 11 cartons, one pallet with 7 cartons, one pallet with 6 cartons and 2 loose cartons. Thus, out of 32 cartons, only 26 were delivered. In addition to the short delivery of six cartons, some of them were in bad order condition and part of their contents were found missing.

A provisional claim was filed by the broker Eastern Brokerage Co., Inc., with defendant Soriamont (Exh. E) which the latter received on February 3, 1970. This was followed by a formal claim filed by the consignee with defendant Soriamont in a letter dated March 4 and received by Soriamont on March 9 (Exh. F). A demand was also made by the consignee upon the plaintiff as insurer of the cargo (Exh. M).

Finding the claim to be valid, plaintiff paid the consignee the sum of P9,665.52 as insurance indemnity and the latter executed a subrogation receipt in favor of the former (Exh. D). Plaintiff insurer, as subrogee of the rights and interests of the consignee, filed the present action to recover the principal sum of P5,758.13 and another P5,000 for attorney's fees and expenses of litigation.

Defendants admit liability for the missing contents of some cartons with a total value of P940.70 (Exh. K), but disclaim responsibility for the alleged loss of six cartons, as plaintiff had not shown that the cargo in question actually consisted of 32 cartons when loaded on the vessel at the port of origin. It is claimed that the shipping documents presented by the plaintiff are hearsay evidence considering that plaintiff's lone witness who identified said documents had no participation in their preparation. It is also argued that the bill of lading does not categorically state that the pallets contained the number of cartons therein specified, but merely that said pallets "are said to contain" so many cartons.

On July 1, 1971, the lower court rendered judgment in favor of the plaintiff, the dispositive portion of which reads:

"WHEREFORE, judgment is hereby rendered, ordering the defendants, jointly and severally, to pay the plaintiff the sum of P5,758.13, with interest at the legal rate from December 22, 1970 until full payment, and the costs of suit."

Defendants have appealed to this Court alleging that:

## "I

"The trial court *a quo* erred in finding that the result of the survey made by the R. J. Del Pan & Co. on February 12, 1970 of the shipment in question was not revealed by defendants-appellants.

## "II

"The trial court *a quo* erred in holding that the alleged loading and loss of the six cartons from two of the pallets have been duly proven and established by the commercial invoices and packing list even without proper identification and authentication on the basis merely of the presumption of regularity thereof.

## "III

"The trial court *a quo* erred in holding that the alleged loading and subsequent loss of the six cartons from two of the pallets have been duly proven and established by the commercial invoices and packing list even without proper identification and authentication as entries in the course of business by a person outside the Philippines.

## "IV

"The trial court erred in holding that the bill of lading (Exhibit A) constitute evidence of the actual contents of the shipment in question and of the subsequent loss of a portion thereof.

## "V

"The trial court *a quo* erred in holding that it was the duty of the vessel to verify the actual contents of the shipment packed in the pallets.

## "VI

"The trial court *a quo* erred in adjudging defendants to be liable for more than P940.70, which is the value of the missing contents of some of the cartons delivered to the consignee."

Appellants under the first assignment of error claim that the lower court erred in finding that the result of the survey made by the R. J. del Pan & Co. of the shipment in dispute was not revealed by them. It is contended that there is no evidence or admission to support such finding.

We disagree. The pre-trial order dated April 19, 1971, states:

## "PRE-TRIAL ORDER

"A pre-trial of this case was held in chambers during which the parties made the following manifestations and admissions:

"\* \* \* \* \*

"(3) From the documents and admissions of the parties it appears that the shipment in question arrived in the Port of Manila on February 11, 1970 and the vessel docked at Pier 5 then under the management of E. Razon, Inc. as arrastre contractor. *An on-board survey was conducted by R. J. Del Pan at the instance of the vessel on February 12, 1970. The survey report, however was not presented by any of the parties.*" (Italic added.)

It is clear from the foregoing that the questioned finding of the trial court is supported by the pre-trial order which was issued based on the manifestations and admissions

of the parties. Section 2, Rule 129 of the Revised Rules of Court provides:

*"Judicial admissions.*—Admissions made by the parties in the pleadings, or in the course of the trial or other proceedings do not require proof and cannot be contradicted unless previously shown to have been made through palpable mistake."

Since appellants did not object to the pre-trial order, they are deemed to have accepted the contents thereof. Judicial admission may be oral; or it may be implied from the conduct of the party. The precise form which the admission may assume is immaterial. (5 Martin, Rules of Court, 1970 ed., p. 46.)

Appellants in their second assignment of error claim that the documentary evidence presented by the appellee establishing the loading of the questioned shipment is not properly identified and authenticated. Adverting to the admission of appellee's witness Leticia Manuud that she had no participation whatsoever in the preparation of said documents, appellants concluded that said documents could not serve as basis for the actual number of cartons loaded.

This contention is untenable. As correctly ruled by the trial court, the documentary evidence showing the fact of shipment as consisting of 32 cartons enjoys the presumption of regularity. This is based on Section 5(q), Rule 131, Revised Rules of Court, which reads:

*"Disputable presumptions.*—The following presumptions are satisfactory if uncontradicted, but may be contradicted and overcome by other evidence:

\* \* \* \* \*

"(q) That the ordinary course of business has been followed;"

Appellants having failed to overthrow this presumption, the regularity of the questioned documents done in the ordinary course of business must be upheld. Moreover, as aptly reasoned out by the appellee in its brief:

"The admission of defendant-appellants of paragraphs 3 and 4 of the Complaint as well as of all the exhibits, except the Packing List Exhibit 'B' (page 27 of Memorandum of defendant) supports the decision. It is not fair to require that plaintiff should go to Liverpool, England and see the actual loading of the cargo. On the other hand, defendant-appellants were in a better position to see the crating of the goods in shipment which were not placed or loaded on a sealed container. When they accepted the cargo and the consignee was charged the freight service fee, in accordance with the Bill of Lading, defendant-appellants assumed the responsibility based on the documents supporting the goods for shipment. This is of common knowledge and the usual practice that the Bill of Lading and the invoices which are the bases of the Packing List (Exhibit 'B') are the bases also of freight charges, considering further the volume and weight aspect. While it is true that the witness might have no participation in the preparation of Exhibits 'N' to 'N-8', 'B' and 'A' these were done in Liverpool, England and

copies thereof received by plaintiff-appellee 'in the ordinary course of business.'"

Under the third assignment of error appellants argue that the "entries" referred to in Section 37, Rule 130, are those made in books or other records which are bound together, such as books of accounts, docket books, bank books, registers, etc. It is also argued that even if the questioned commercial documents can be considered as "entries in the ordinary course of business," still they cannot be admissible in evidence because it is not shown that the person who made the same personally knew the facts stated therein and their authenticity has not been satisfactorily established by competent evidence.

The hearsay evidence rule is not absolute. One of the exceptions is that found in said Section 37, Rule 130, to wit:

"SEC. 37. *Entries in the course of business.*—Entries made at, or near the time of the transactions to which they refer, by a person deceased, outside of the Philippines or unable to testify, who was in a position to know the facts therein stated, may be received as *prima facie* evidence, if such person made the entries in his professional capacity or the performance of duty and in the ordinary or regular course of business or duty."

The reasons for the above rule are:

"One reason for receiving (them) is that being made as a part of the regular course of one's livelihood or profession there is unlikely any controlling motive to misrepresent. This lack of motive is said to be due to the regular doing of an act where the declarant, in the discharge of the business, professional or official duty, has every reason to assert the truth.

"Another reason for their admissibility lies in the necessity for them. Death, sickness, absence from the jurisdiction, or other controlling reason would otherwise prevent substantial justice." (5 Martin, *op. cit.*, pp. 333-334.)

As to the construction given by the appellants to the word "entries" in the aforecited rule, this Court is not prepared to accept the same in its restricted sense in the absence of controlling jurisprudence or authority to support such view.

Concerning the authenticity of the commercial documents, it appears that all documentary exhibits offered by the plaintiff at the pre-trial were admitted by the defendants as to their authenticity except Exhibit B (p. 27, defendants' memorandum, p. 41, rec. on ap.).

Appellants in the fourth assignment of error make capital of the phrase "said to contain" appearing in the bill of lading. It is argued that under such circumstances the carrier had no knowledge of the actual contents of each package or unit so that the shipment is deemed to be at "shipper's load and count" and that any consequent loss

or damage to the shipment must be duly proved by the shipper. We also find this contention untenable.

It is to be observed that the bill of lading was prepared by the carrier and that the shipper had no control over the way it is worded. This leaves the shipper at the mercy of the carrier so that it is likely that unfairness or injustice may result if the shipper should be absolutely bound by said phraseology. If the carrier doubted the representation of the shipper, it should have made the proper verification to satisfy itself of that fact especially considering that the shipment is not containerized in sealed vans but simply placed in pallets. To insist that the shipment is deemed to be at "shipper's load and count" is unwarranted, as nothing to that effect is stated in the bill of lading.

Appellants in the fifth assignment of error claim that the lower court erred in holding that it was the duty of the vessel to verify the actual contents of the shipment.

The statement is not accurate. What the trial court said was, "if the carrier doubted the representation of the shipper regarding the contents of the pallets it should have made the proper verification to satisfy itself of the fact." Apparently, the carrier did not entertain any doubt as to the correctness of the contents of the shipment as indicated in the commercial invoices (Exhs. N, N-1 to N-8) and the packing list (Exh. B). As held by the trial court, all said documents including the bill of lading enjoy the presumption of regularity, having been made in the ordinary course of commercial transactions.

Lastly, appellants impute error on the part of the lower court in holding them liable for more than P940.70, the alleged value of the missing contents of some of the cartons as reflected in their reply (Exh. K). This unilateral computation cannot prevail over appellee's documentary evidence, more particularly the bill of lading, delivery receipt, bad order certificate and subrogation receipt, which establishes the shipment and loss of the questioned cargo exceeding the amount of P940.70. In fact, appellee paid the sum of P9,665.52 as indemnity to the consignee for the missing cartons. But since appellee limited its claim to only P5,758.13 during the pre-trial, it cannot recover more.

The non-award of attorney's fees to appellee by the trial court is proper under the circumstances. Such fees may not be allowed simply because there was no amicable settlement for which purpose appellee's principal claim was allegedly limited to P5,758.13.

WHEREFORE, in view of all the foregoing considerations, the judgment appealed from being in accordance with law and evidence, we hereby affirm the same, with costs against the appellants.

So ORDERED.

*Martin and Gancayco, JJ., concur.*

*Judgment affirmed.*

**MGA KAUTUSANG PANGPANGASIWAAN AT ALITUNTUNIN NG  
MGA KAGAWARAN, KAWANIHAN AT TANGGAPAN**

(DEPARTMENT, BUREAU AND OFFICE ADMINISTRATIVE  
ORDERS AND REGULATIONS)

**Kataas-taasang Hukuman ng Pilipinas**  
(SUPREME COURT OF THE PHILIPPINES)

SUPREME COURT OF THE PHILIPPINES  
MANILA

ADMINISTRATIVE SUPERVISION OF COURTS

ADMINISTRATIVE ORDER No. 19

In the interest of the administration of justice and pursuant to Section 5(3), Article X of the new Constitution, the Honorable IGNACIO MANGOSING, District Judge, Court of First Instance of Northern Samar, Branch III at Laoang, is hereby temporarily assigned to preside over the Court of First Instance of Manila, Branch XXIV, for a period of not more than three (3) months, effective upon receipt hereof, unless sooner revoked, for the purpose of trying and deciding all kinds of cases therein.

Manila, May 30, 1975.

(Sgd.) QUERUBE C. MAKALINTAL  
Chief Justice

SUPREME COURT OF THE PHILIPPINES  
MANILA

ADMINISTRATIVE SUPERVISION OF COURTS

ADMINISTRATIVE ORDER No. 20

In the interest of the administration of justice and pursuant to Section 5(3), Article X of the new Constitution, the Honorable RAFAEL HILAO, District Judge, Court of First Instance of Northern Samar, Branch X at Laoang, is hereby designated to preside over Branch III thereof, in addition to his regular duties until the return of Honorable Ignacio Mangosing, who is on temporary assignment, for the purpose of trying and deciding all kinds of cases therein.

Manila, May 30, 1975.

(Sgd.) QUERUBE C. MAKALINTAL  
Chief Justice

SUPREME COURT OF THE PHILIPPINES  
MANILA

ADMINISTRATIVE SUPERVISION OF COURTS

ADMINISTRATIVE ORDER No. 21

In the interest of the administration of justice and pursuant to Article X, Section (5)3 of the new Constitution, the Honorable NUMERIANO ESTENZO, District Judge, Court of First Instance, Branch V at Ormoc City, is hereby temporarily assigned to preside over the Court of First Instance, Branch III at Iloilo City, for a period of not more than three (3) months, effective upon receipt hereof, unless sooner revoked, for the purpose of trying and deciding all kinds of cases therein.

Manila, May 30, 1975.

(Sgd.) QUERUBE C. MAKALINTAL  
Chief Justice

SUPREME COURT OF THE PHILIPPINES  
MANILA

ADMINISTRATIVE SUPERVISION OF COURTS

ADMINISTRATIVE ORDER No. 22

In the interest of the administration of justice and pursuant to Section 5(3), Article X of the new Constitution, the Honorable BERNARDO SALAS, District Judge, Court of First Instance of Leyte, Branch VIII at Baybay, is hereby designated to preside over Branch V thereof at Ormoc City, in addition to his regular duties until the return of Honorable Numeriano Estenzo, who is on temporary assignment, for the purpose of trying and deciding all kinds of cases therein.

Manila, May 30, 1975.

(Sgd.) QUERUBE C. MAKALINTAL  
Chief Justice

SUPREME COURT OF THE PHILIPPINES  
MANILA

ADMINISTRATIVE SUPERVISION OF COURTS

ADMINISTRATIVE ORDER No. 23

In the interest of the administration of justice and pursuant to the resolution of this Court, dated May 27, 1975, the Honorable ANTONIO MALAYA, District Judge, Court of First Instance, Branch IV at Luna, Kalinga-Apayao is hereby temporarily

assigned to preside over the Court of First Instance, Branch VII at Balayan, Batangas, for a period of not more than three (3) months, effective upon receipt hereof unless sooner revoked, for the purpose of trying and deciding all kinds of cases therein.

Manila, May 30, 1975.

(Sgd.) QUERUBE C. MAKALINTAL  
Chief Justice

**Kagawaran ng Katarungan**  
(DEPARTMENT OF JUSTICE)

May 8, 1975

ADMINISTRATIVE ORDER No. 61

Upon the request of the Judge Advocate General, and in the interest of the public service and pursuant to the provisions of paragraph 2-b(2) of Presidential Decree No. 30, dated November 7, 1972, Assistant Chief State Prosecutor FERNANDO P. DE LEON and State Prosecutors ALEJANDRO C. SIAZON, RENE VICTORIANO, MELQUIADES GABRIEL and ANASTACIO LOBATON, Prosecution Staff, this Department, are hereby designated to assist and/or collaborate with the lawyers of the AFP (JAGO) in the investigation and prosecution, if the evidence warrants, of cases involving bank swindling and unexplained wealth triable by the military tribunal including all cases related thereto punishable by the Revised Penal Code and special laws, effective immediately and to continue until further orders.

(Sgd.) CATALINO MACARAIG, JR.  
Acting Secretary of Justice

REPUBLIKA NG PILIPINAS  
KAGAWARAN NG KATARUNGAN  
DEPARTMENT OF JUSTICE  
MANILA

May 8, 1975

ADMINISTRATIVE ORDER No. 62

In the interest of the public service and pursuant to the provisions of existing laws, Mr. ALFREDO G. LAMAROZA, First Assistant Provincial Fiscal of Mountain Province, is hereby designated Acting Provincial Fiscal of Kalinga-Apayao in the investigation and prosecution, if the evidence warrants, of the charges filed by Benito Busal against Mayor Gerardo Bina-ay Odiem, for alleged violation of Republic Act No. 3019, otherwise known as the Anti-Graft and Corrupt Practices Act,

effective immediately and to continue until further orders.

(Sgd.) VICENTE ABAD SANTOS  
Secretary of Justice

May 13, 1975

ADMINISTRATIVE ORDER No. 63

In the interest of the public service and pursuant to the provisions of existing laws, Mr. ALFONSO JIMENEZ, State Prosecutor II, Prosecution Staff, this Department, is hereby designated Acting Provincial fiscal of Sultan Kudarat, effective immediately and to continue until further orders.

(Sgd.) VICENTE ABAD SANTOS  
Secretary of Justice

May 14, 1975

ADMINISTRATIVE ORDER No. 64

Effective immediately, Administrative Order No. 183, s. 1973, designating Assistant Fiscal TEODORO B. SANTOS of Pasay City, to collaborate with the Provincial Fiscal of Rizal in the investigation and prosecution of all offenses committed and/or that may be committed within the New Bilibid Prison in Muntinlupa, Rizal, is hereby revoked.

(Sgd.) VICENTE ABAD SANTOS  
Secretary of Justice

May 19, 1975

ADMINISTRATIVE ORDER No. 65

In the interest of the public service and pursuant to the provisions of existing laws, Mr. FRANKLIN G. GACAL, First Assistant City Fiscal of General Santos City, is hereby designated Acting City Fiscal of the same City, which compensation



as provided by law for the position, effective immediately and to continue until a regular city fiscal shall have been appointed and qualified or unless sooner revoked.

(Sgd.) VICENTE ABAD SANTOS  
Secretary of Justice

REPUBLIKA NG PILIPINAS  
KAGAWARAN NG KATARUNGAN  
DEPARTMENT OF JUSTICE

OPINION No. 64, s. 1975

2nd Indorsement April 24, 1975

Respectfully returned to the Assistant Executive Secretary, Malacañang, Manila.

Opinion is requested on whether "the four (4) members from the private sector, of the National Grains Authority Council created under P. D. No. 4 dated September 26, 1972, each representing the consumers, rice producers, rice corn millers and traders, and corn producers can continue their business operations and have contracts with the Rice and corn Administration and/or National Grains Authority without being held liable under the Anti-Graft and Corrupt Practices Act (R.A. No. 3019, as amended)".

The pertinent provisions of the cited law are found in Section 3(h) and (i) which declares unlawful, as constituting corrupt practices, the following acts of public officers:

"(h) Directly or indirectly having financial or pecuniary interest in any business, contract or transaction in connection with which he intervenes or takes part in his official capacity, or in which he is prohibited by the Constitution or by any law from having any interest.

"(i) Directly or indirectly becoming interested, for personal gain, or having a material interest in any transaction or act requiring the approval of a board, panel or group of which he is a member, and which exercise discretion in such approval, even if he votes against the

same or does not participate in the action of the board, committee, panel or group."

There is nothing in the Anti-Graft and Corrupt Practices Act which requires that the members of the National Grains Authority Council discontinue their normal business operations as rice and corn producers, millers or traders. Since their qualification for their positions in the Board of Directors stems from their engaging in business as rice or corn producer, miller or trader, the mere membership in the Board would not be in contravention of R. A. No. 3019; otherwise the legislative purpose of giving representation to the private sector would be defeated. (See Op. No. 140, s. 1963; No. 305 s. 1961.) An examination of the powers and functions of the National Grains Authority Council (Sec. 5, Sec. 6 P.D. No. 4) would show that the exercise thereof by the Council need not necessarily give rise to a conflict of interest within the meaning of the Anti-Graft and Corrupt Practices Act. This Office has consistently ruled in connection with the cited provisions of said law that in order that liability may attach, there must be a transaction in connection with which the public officer has, directly or indirectly, a financial or pecuniary interest, (See Op. No. 155, s. 1960; No. 306, s. 1961.) Also, in respect of actions of the NGA Council partaking of the nature of mere formulations of broad policies and programs remotely affecting the members of the Council who are in the rice or corn business industry, the penal provision would not apply (see Op. No. 208, s. 1960).

With respect to "contracts with the Rice and corn Administration and/or National Grains Authority", it is believed that no member of the Council may enter into any contract involving financial investment from which such member stands to gain materially, since this would be a clear case of self-dealing which is outlawed in terms by R.A. No. 3019. (Op. No. 195, s. 1961; No. 140, s. 1963.)

Please be advised accordingly.

(Sgd). CATALINO MACARAIG, JR.  
Acting Secretary of Justice

**Bangko Sentral ng Pilipinas**  
(CENTRAL BANK OF THE PHILIPPINES)

## CENTRAL BANK OF THE PHILIPPINES

CIRCULAR No. 466

## WITHDRAWAL OF TIME DEPOSIT BEFORE MATURITY

Pursuant to Monetary Board Resolution No. 1025 dated May 23, 1975, Section 3-f of Circular No. 414 is hereby amended to read as follows:

"f. *Withdrawal before maturity date*—A time deposit that is withdrawn before the maturity date fixed in the certificate of time deposit shall earn interest in accordance with the following schedule:

- 1) *Commercial banks* (including the Development Bank of the Philippines and the Land Bank of the Philippines)

Original Maturity Period	Interest rate per annum if terminated before maturity				
	0-89	90-179	180-359	360-719	720-
90 days	5%	—	—	—	—
180 days	5%	5½%	—	—	—
360 days	5%	5½%	6½%	—	—

720 days	5%	5½%	6½%	8%	—
Over 720 days	5%	5½%	6½%	8%	8½%

2) *Thrift and Rural Banks*

Original Maturity Period	Interest rate per annum if terminated before maturity				
	0-89	90-179	180-359	360-719	720-
90 days	5½%	—	—	—	—
180 days	5½%	6%	—	—	—
360 days	5½%	6%	7%	—	—

Original Maturity Period	Interest rate per annum if terminated before maturity				
	0-89	90-179	180-359	360-719	720-
720 days	5½%	6%	7%	8½%	—
Over 720 days	5½%	6%	7%	8½%	9%

Provided That, if interest had been paid in advance the corresponding rebate shall be charged against the principal of the time deposit."

The foregoing regulation shall not apply to outstanding and unmatured time deposits received before the date of this Circular.

(Sgd.) AMADO R. BRIÑAS

June 2, 1975

Senior Deputy Governor

## Kagawaran ng Likas na Kayamanan (DEPARTMENT OF NATURAL RESOURCES)

REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF THE SECRETARY  
DILIMAN, QUEZON CITY

### CONSOLIDATED MINES ADMINISTRATIVE ORDER

SUBJECT: RULES AND REGULATIONS IMPLEMENTING PRESIDENTIAL DECREE NO. 463, OTHERWISE KNOWN AS THE "MINERAL RESOURCES DEVELOPMENT DECREE OF 1974", AS AMENDED.

Pursuant to Section 90 of Presidential Decree No. 463, otherwise known as the "Mineral Resources Development Decree of 1974", the following rules and regulations are hereby promulgated for the information of all concerned.

### CHAPTER I

#### DEFINITIONS

SECTION 1. *Definition of Terms*—As used in and for the purpose of these Regulations, the following terms and phrases shall have the corresponding meanings:

1. "Decree" means the "Mineral Resources Development Decree of 1974".
2. "Regulations" means these rules and regulations.
3. "State" means the Republic of the Philippines.
4. "President" means the President of the Republic of the Philippines.
5. "Government" means the Government of the Republic of the Philippines.
6. "Secretary" means the Secretary of Natural Resources.
7. "Director" means the Director of Mines.
8. "Minerals" means all naturally occurring inorganic substances in solid, liquid, or any intermediate state including coal. Soil which supports organic life, sand and gravel, guano, petroleum, geothermal energy and natural gas are included in this term but are governed by special laws.
9. "Minerals Lands" are those lands in which minerals exist in sufficient quantity and grade to justify the necessary expenditures in extracting and utilizing such minerals.
10. "Mineral Deposit" means a natural deposit or accumulation of minerals.
11. "Exploration" is the examination and investigation of lands supposed to contain valuable minerals, by drilling, trenching, shaft sinking, tunneling, test pitting and other means, for the purpose of probing the presence of mineral deposits and the extent thereof.
12. "Development" refers to steps necessarily taken to reach an orebody or mineral deposit so that it can be mined.
13. "Exploitation" means the extraction and utilization of mineral deposits.
14. "Mining" or "to mine" means to extract, remove, utilize minerals, and includes operations necessary for that purpose.
15. "Qualified Person" means a Filipino citizen, of legal age, and with capacity to contract or a corporation or partnership registered with the Securities and Exchange Commission at least 60% of the capital of which is owned by Filipino citizens.
16. "Lessee" may include a leaseholder, claim owner or operator as the context of the provisions of the Decree and these Regulations may indicate.
17. "Regulations" means the rules and administrative orders promulgated by the Secretary to implement the provisions of the Decree, or issued by the Director as to such matters as may be delegated to him by the Secretary.
18. "Quarry Permit" shall mean the right to extract, remove and dispose of all quarry resources found on or underneath the surface of privately owned lands.
19. "Quarry License" shall mean the right to extract, remove and dispose of all quarry resources found on or underneath the surface of public lands.
20. "Mines Regional Offices" are the five (5) existing regional offices of the Bureau of Mines situated in Baguio City, Manila, Daet, Camarines Norte, Cebu City and Surigao City, which are each headed by the Mines Regional Officer.
21. "New Mine" shall mean mineral lands leased under the Decree, Commonwealth Act No. 137, as amended or acquired under the Philippine Bill of 1902 and which have not been in actual commercial production on the date of the filing of the application for tax-exemption and not adjacent to or considered to be a continuation and/or expansion of an existing mine. A newly discovered orebody near an existing mine may be considered a "new mine" if it

requires an independent set of mining and milling facilities and personnel and operated under an operating contract by said existing mine. Said "new mine" may be applied for tax-exemption by the claim-owner and/or the operator.

22. "Old mine which resumes operations" shall mean mineral land from which mineral or mineral products have been extracted prior to the date of filing of the application for tax exemption and has not resumed commercial production for the last five (5) years prior to the date of application. *Provided*, That any mine that has stopped operation prior to the promulgation of the Decree may be entitled to tax exemption.
23. "Actual commercial production" shall mean the stage of mining operation attained by a mine in which mineral or mineral products of marketable grade and quantity have been produced and sold to local and/or foreign markets.
24. "Machineries and equipment" shall mean machineries, equipment, tools for production, plants to convert mineral ores into saleable form, spare parts, supplies, materials, accessories, explosives, chemicals and transportation, and communication facilities which shall include all the items herein enumerated needed for commercial production which are necessary or incidental for mining, as well as for the processing of ores into marketable form and grade, and shall include those needed to explore and develop the mineral land for mining and the processing plants which may be imported and installed before the actual commercial production.
25. "Blocked ore" shall mean the full ore tonnage computed in accordance with good mining practice from dimensions revealed in outcrops, trenches, workings and drill holes and for which the grade is computed from results of detailed sampling. The sites of inspection, sampling and measurements shall be closely spaced and the geological characters so well defined that the size, shape and mineral content are well established.

In cases where the sites available for inspection, measurement and sampling are too widely or otherwise inappropriately spaced to outline the ore completely or to establish its grade throughout, not more than two-thirds ( $2/3$ ) of the ore tonnage computed under these conditions partly from specific measurements, samples or production data and partly from projection for a reasonable distance on geologic evi-

ence may be considered as "blocked ore." The remainder shall be included in the "geologic reserves".

26. "Geologic reserves" shall mean the ore tonnage estimated largely on the broad knowledge of the geologic character of the deposits and for which there are few, if any, samples or measurements. Estimates are based on an inferred continuity for which there is geologic evidence. Mineral deposits that are completely concealed may be included if there is specific geologic evidence of their presence. Estimates of geologic reserves should include a statement of the special limits within which the ore is inferred to lie.
27. "Exploration stage" shall mean the step in exploring "new mines" or "old mines resuming operations" consisting of shallow borings, trenches, test pitting, diamond drilling and underground workings to prove the persistence and tonnage of the ore body laterally and in depth.

## CHAPTER II

### MINING REGIONS

SEC. 2. *Mines Regional Offices*—There shall be five (5) Mines Regional Offices of the Bureau of Mines to be situated in Baguio, Manila, Daet in Camarines Norte, Cebu City and Surigao City, each of which shall be headed by the Mines Regional Officer. The boundaries of these regions shall be established by the Bureau of Mines on a Philippine Coast and Geodetic Survey Map prepared for registration purposes.

These regions include the following provinces:

- (a) Mineral Region No. 1 in Baguio—Abra, Benguet, Ilocos Norte, Ilocos Sur, La Union, Mountain Province, Batanes, Cagayan, Ifugao, Isabela, Kalinga-Apayao, Nueva Vizcaya and Quirino.
- (b) Manila Regional Office—Bataan, Bulacan, Nueva Ecija, Pampanga, Pangasinan, Tarlac, Zambales, Batangas, Cavite, Laguna, Marinduque, Occ. Mindoro, Oriental Mindoro, Palawan, Quezon, Rizal, Romblon, and the Semirara island of Antique.
- (c) Mineral Region No. 2 in Daet, Camarines Norte—Albay, Camarines Norte, Camarines Sur, Catanduanes, Masbate and Sorsogon.
- (d) Mineral Region No. 3 in Cebu City—Aklan, Antique, Capiz, Iloilo, Negros Occidental, Negros Oriental, Bohol, Cebu, Leyte, Southern Leyte, Eastern Samar, Northern Samar, Western Samar and Siquijor.
- (e) Mineral Region No. 4 in Surigao City—Zamboanga del Norte, Zamboanga del Sur,

Basilan, Sulu, Tawi-Tawi, Misamis Occidental, Misamis Oriental, Lanao del Norte, Lanao del Sur, Maranaw, Bukidnon, Agusan del Norte, Agusan del Sur, Surigao del Norte, Surigao del Sur, Camiguin, Davao del Norte, Davao Oriental, Davao del Sur, North Cotabato, Maguindanao, Sultan Kudarat and South Cotabato.

SEC. 3. *Mines Regional Recorder*—The five Regional Officers are hereby designated as mining recorders who shall be called Mines Regional Recorder in their respective regions, and shall be in charge of the registration and custody of mining documents formerly performed, prior to the promulgation of the Decree, by Registers of Deeds of the different provinces and cities as ex-officio mining recorders: *Provided*, That the following documents shall be forwarded to the central office for processing and evaluation:

1. Applications for lease of mining claims;
2. Applications for order of survey; and
3. Applications for quarry permit for license.

### CHAPTER III

#### MINING CLAIMS

SEC. 4. *Size and Number of Claims*—For the purpose of locating and registering mining claims, the Philippine territory and its shelf shall be divided into meridional blocks or quadrangles of one-half minute ( $\frac{1}{2}'$ ) of latitude and longitude, each block or quadrangle containing an area of eighty-one (81) hectares, more or less, the boundaries thereof to coincide with the full one minute or one-half minute of latitudes and longitudes, based on the Philippine Coast and Geodetic Survey Map.

A mining claim shall cover one such block although a lesser area may be allowed if warranted by attendant circumstances, such as but not limited to geographical features, existence of adjoining valid claims or concessions, other areas closed to mining location, settlement of conflicts and other justifiable considerations that render it impractical to conform with such requirements.

Pursuant to Section 44 in relation to Section 43 of the Decree, the maximum area of mining claims that may be registered shall be, as follows:

- (1) In any one province—
  - a) By individuals, five hundred hectares;
  - b) By mining partnerships or corporations, five thousand hectares;
- (2) In the entire Philippines—
  - a) By individuals, one thousand hectares;
  - b) By mining partnerships or corporations, ten thousand hectares;

*Provided*, That the Director may allow a locator to register a larger area not exceeding 10,000 hectares in any one province, depending upon the

nature of the deposit, the kind of minerals located, and other circumstances justifying the increase in area: *Provided, further*, That areas covered by existing mining rights and other areas closed to mining location are deemed excluded from the meridional block registered as a mining claim.

SEC. 5. *Procedure of Location*—A qualified person desiring to locate a mining claim may do so by filing with the Mines Regional Recorder concerned a declaration of location duly accomplished: *Provided*, That no declaration of location shall be registered without the pre-payment of the required filing and occupation fees. Only one (1) mining claim shall be covered by one (1) declaration of location.

Persons who possess the following qualifications may locate mining claims:

- a) In case of individual, he should be of legal age and citizen of the Philippines.
- b) In case of corporation or partnership, it should be organized under the laws of the Philippines, duly registered with the Securities and Exchange Commission and at least sixty *per centum* (60%) of the capital stock of which is owned and held and shall at all times be owned and held by citizens of the Philippines.
- c) A person may locate for another person: *Provided*, That he is duly authorized by means of a special power of attorney to locate for and in behalf of the actual locator: *Provided, further*, That no power of attorney to locate mining claims shall extend beyond one region: *Provided, furthermore*, That only one power of attorney shall be required to be registered for all claims for the same locator and attorney-in-fact in one region: *Provided, moreover*, That a power of attorney shall be recorded with the proper Mines Regional Recorder on or before the recording of the corresponding declaration of location: *Provided, finally*, That if such authority is given in the articles of partnership or incorporation, such articles need not be recorded with the Mines Regional Recorder concerned.

SEC. 6. *Form to be Used*—The declaration of location to be used in the location and registration of a mining claim pursuant to the Decree shall be in the prescribed form (B.M. Form No. MRD-1) issued by the Bureau of Mines for the purpose, hereto attached as Appendix "A" hereof and made a part of these Regulations.

SEC. 7. *Registration of Declaration of Location and Other Related Documents*—The declaration of location and any other document or instrument relating to or affecting any mining right or title thereto or interest therein shall be recorded with

the Mines Regional Recorder concerned, paying therefor the required registration fee.

The certificate of registration of the Mines Regional Recorder shall indicate the date and time of filing, document number, page of the register, registry book number, year series, amount of fee paid, and the official receipt issued.

Declarations of location and other mining instruments shall be grouped according to classes of documents as above indicated, each class to be numbered consecutively (one number to each document regardless of the number of pages to a document) in the chronological order they are received in the Office of the Mines Regional Recorder, and bound separately in book form, beginning with Book No. 1, each book to contain up to 250 instruments only, and the pages numbered consecutively.

One copy of the registered document shall be forwarded to the Central Office in Manila for reference purposes, two copies (original and one carbon copy) shall be retained by the Mines Regional Recorder, and one copy will be given to the applicant.

Of the registered copies retained in the Office of the Mines Regional Recorder, the carbon copies (bound in book form) shall be used as working copies which shall be made accessible to the public. The original copies shall likewise be bound and locked as restricted file of the Mines Regional Office concerned, and in case of discrepancy among the different copies, the original shall be controlling.

**SEC. 8. Transfer and Assignment**—A duly registered mining claim may be transferred and assigned by the claim-owner to another person qualified to acquire the same, and such transfer shall be registered with the Mines Regional Recorder concerned paying therefor the required registration fee.

**SEC. 9. Fees**—For registering mining instruments and documents, Mines Regional Recorders shall require the payment of fees therefor, as follows:

- a) Declaration of Location .... P50.00/ claim
- b) Per. Power of Attorney ..... P50.00
- c) Transfers or other assignments P10.00/claim
- d) All other instruments affecting mining rights ..... P10.00/ claim

#### CHAPTER IV

#### SURFACE RIGHTS

**SEC. 10. Entry into Private Lands**—Before entering into private lands the mine prospector, locator or operator must first secure the written permission of the private owner, claimant, or holder thereof. In case of refusal, the prospector, locator or operator may enter the private land by giving a written notification at least five (5) days in advance to the surface owner or occupant of the private land and by posting a bond to answer for any damage done to the property of the surface owner,

in such amount as may be fixed by the Director. In fixing the amount, the Director shall consider the type of property and the prevailing price in the area where prospecting and other mining activities are to be conducted and the capability of the surety or sureties.

The decision of the Director on the amount of the bond may be appealed to the Secretary within five (5) days from receipt of a copy thereof.

**SEC. 11. Landowner Entitled to Royalty**—If the private property within which mineral development or exploitation is to be undertaken is titled, the landowner shall be entitled to at least one-third ( $\frac{1}{3}$ ) of the total royalty due the claimowner from the operator based on the prevailing standard royalty in the area where said mining operation is being undertaken, or one per cent (1%) of the value of the gross output of metallic minerals therein where there is no prevailing standard royalty payment is involved or has been arranged.

**SEC. 12. Alternative Choice of Landowner to Receive Other Forms of Compensation**—If the private landowner refuses to accept royalty from the operator or claimowner, such landowner may choose to receive payment for any damage caused to his property and compensation for his land at the prevailing market price or assessed value, whichever is higher, plus five per cent (5%) of the royalty due the claimowner on the value of gross output of metallic minerals therein.

**SEC. 13. Compensation if Private Land Has Incomplete Title**—If the right of the surface owner to his land is based on incomplete land title, such as homesteads, sales, leases, and other forms of land rights not perfected under the Torrens system, the compensation to be given the surface owner shall be one-fifth ( $\frac{1}{5}$ ) of the total royalty due the claimowner from the operator, or damages and payment of the land plus three per cent (3%) of the royalty due the said claimowner, or six-tenths (0.6) of one per cent (1%) of the value of gross output of metallic minerals. The rate of royalty herein set shall apply only in cases of exploration, development and exploitation of metallic ores, or ores containing metals in such quantity or quality as the Director may determine as metallic ores.

**SEC. 14. Compensation in Cases of Non-metallic Ores**—The rate of compensation, royalty, or payment for damages to be paid to the landowner in cases of the exploration, development, exploitation of non-metallic ores extracted within his land shall be fixed by the Director as he may deem just after proper hearing of the parties concerned.

**SEC. 15. Government Reserved Land**—Lands reserved by the Government for purposes other than mining are open to prospecting. Any interested

party may file an application therefor with the head of the agency administering said land, subject always to compliance with pertinent laws and rules and regulations covering such reserved land. Such application shall be acted upon within thirty (30) days. In such cases, the compensation due the surface owner shall accrue equally to the agency administering the reserved land and the Bureau of Mines.

SEC. 16. *Landholders not Entitled to Compensation*—Any person or entity acquiring any option or right on lands after the first publication of any mining lease covering such lands shall not be entitled to the compensation herein provided.

#### CHAPTER V

#### SURVEY OF MINING CLAIMS

SEC. 17. *Application for Survey*—Within one (1) year from the date of the recording of the declaration of location, the locator shall file with the Mines Regional Recorder an application for an order of survey, in triplicate, in the prescribed form (BM Form No. MRD-3) hereto attached as Appendix "B" and made part of these Regulations.

SEC. 18. *Filing Fee*—Upon filing of the application, the applicant shall pay a filing fee of P10.00 for the first mining claim and P5.00 for every mining claim thereafter.

SEC. 19. *Documents to Accompany Application*—The application shall be accompanied by the following:

- (1) Two (2) sets of carbon copies of the original declaration of location or two (2) certified copies of the same declaration of location issued by the Mines Regional Recorder.
- (2) Pertinent documents such as deed of assignment and power of attorney duly registered with the Mines Regional Recorder, and in the case of partnerships or corporations, a copy of the articles of partnerships or incorporation duly registered with the Securities and Exchange Commission.
- (3) A notarized survey service contract executed by and between the applicant and the authorized geodetic engineer which shall stipulate, among others, the following:
  - i. The names of the contracting parties;
  - ii. The names of the mining claims or identification of areas sought to be surveyed;
  - iii. The consideration or contract price and mode of payment of the same; and
  - iv. The date of the submittal of the survey returns thereof to the Director.

(4) Affidavit of the proposed deputy geodetic engineer representing that he can execute the survey of the claims and submit the returns thereof within the period prescribed by the Decree unless prevented by *force majeure*, and admitting payment by the applicant of not less than 20% but not more than 50% of the agreed professional fee advanced in consideration of such representation.

(5) A surety bond in the amount of P10.00 per hectare but not less than P500.00 per application for order of survey for the approval of the Director, which bond shall be forfeited for failure to execute the survey and/or comply with his obligations as required by existing rules and regulations of the Bureau of Mines.

Failure on the part of the applicant to submit the above requirements shall cause the automatic rejection of the said application.

SEC. 20. *Abandonment*—Failure to file the application for an order of survey within one (1) year from the date of the recording of the mining claim shall constitute automatic abandonment of the mining claim and the land embraced therein shall thereupon be open to location by qualified persons other than the original locator, his heirs, successors or assigns: *Provided*, That mining claims located and registered under previous mining laws and Spanish Royal Grants, for which no application for order of survey has been filed within one (1) year from the approval of the Decree shall be considered abandoned.

SEC. 21. *Qualified Geodetic Engineers*—Mineral land surveys shall be executed by geodetic engineers of the Bureau of Mines or by bonded geodetic engineers in private practice deputized by the Director for the purpose. Deputy Geodetic Engineers who have failed to submit the survey returns within the prescribed period shall not be issued further survey orders without prejudice to whatever disciplinary actions that may be taken by the Board of Examiners for Geodetic Engineers. A licensed geodetic engineer may be authorized to execute mineral land surveys upon submittal of the following:

- a. A certified copy each of the Annual Professional Tax Receipt and Annual Registration Certificate issued by the Board of Examiners for Geodetic Engineers together with the original of his specimen signature.
- b. A list of surveying instruments he shall use, certified to by the Bureau of Lands that the said instruments were registered with said Office and can be used in the survey of areas for land registration purposes, stating the condition at the time of the exa-

mination of the instruments, serial number, and other data pertinent to the approval.

A xerox copy of each of the preceding two (2) requirements may be accepted upon presentation of the original copy for inspection by the Director.

SEC. 22. *Issuance of Order of Survey*—Upon finding that (a) the application for order of survey is sufficient in form and substance; and (b) the applicant has paid in advance not less than 20% but not more than 50% of the professional fee to the proposed geodetic engineer in consideration of the latter's representation in his affidavit mentioned in Section 19(4), the Director may issue the order of survey in the prescribed form (BM Form No. MRD-4) hereto attached as Appendix "C", and made part of these Regulations.

SEC. 23. *Cost of Survey*—Upon the filing of the application for order of survey to be undertaken by a geodetic engineer of the Bureau of Mines, the applicant shall pay the cost of survey as provided in Chapter XVI of these Regulations.

SEC. 24. *Execution of Mineral Land Surveys*—Corners of the mining claim shall be defined by monuments placed at intervals of not more than four hundred (400) meters apart. When the boundary lines of the claim pass across mountains or rolling terrain, the intermediate monuments between corners shall be established on ridges, whenever practicable, in which case, all consecutive corner monuments shall be intervisible.

The sizes of corner monuments of a mining claim shall be, as follows:

- (1) Corners (principal corners) that fall on points with exact minutes and/or half minute of latitude and longitude, 20 cm. x 20 cm. x 60 cm. concrete monuments shall be set 50 cm. in the ground.
- (2) Other corners of the claim shall be cylindrical concrete monuments of 15 cm. in diameter x 60 cm. long set 50 cm. in the ground.

The corners of the mining claim shall be concrete monuments or cement patch on boulder, centered with a hole, spike, pipe or nail and marked with the corresponding corner number and survey number as indicated in the declaration of location and in the order of survey. The latitude and longitude of the principal corner shall also be indicated on the sides of the concrete monuments when it coincides with the full one minute and/or ½ minute of latitude and longitude, respectively.

When the mining claim undergoing survey adjoins submerged land, a witness corner monument along the boundary leading the shoreline shall be set on the ground to witness the boundary-point-corner of the claim at the low tide level of the

sea or lake. Concrete monuments, galvanized iron pipes, fixed rocks, boulders or stakes and other monuments shall be set to define the corners of the claim along the shorelines at low tide level.

All computations, plans and maps of mining surveys to be submitted to the Bureau of Mines for verification and approval shall be prepared by using the Philippine Plane Coordinate System.

The characteristics of the Philippine Plane Coordinate System as used in the DANR Technical Bulletin No. 26 are, as follows:

Spheroid—Clarke's Spheroid of 1866

Projection—Transverse Mercator in zones of two degrees (2°) net width.

Point of Origin—The intersection of the equator and the central meridian of each zone, with a northing of 0.00 meter and an easting of 500,000.00 meters.

Scale factor at the Central Meridian—0.99995  
Zonification:

*Note:* The overlap of 30 minutes thereof however is reduced to 5 minutes which are, as follows:

Zone No.	Central Meridian	Extent of Zone
I	117-00 E	116-00 to 118-05 E
II	119-00 E	117-55 to 120-05 E
III	121-00 E	119-55 to 122-05 E
IV	123-00 E	121-55 to 124-05 E
V	125-00 E	123-55 to 126-05 E

The tables in the DANR Technical Bulletin No. 26 and BM Form No. MRD 17-A and BM Form No. MRD-17-B hereto attached as Appendices "D" and "E", respectively, and made part of these Regulations shall be used for the transformation of geographic to plane coordinates, and from plane to geographic coordinates.

In all mining surveys, the corresponding central meridian of the zone where the claim is situated shall be used and the amount of convergency correction in seconds of arc from the central meridian to be applied to the observed astronomical azimuth of the line shall be, for all practical purposes, the product of the departure of the point of observation from the central meridian in kilometers and the number of seconds of angular convergency per kilometer of departure corresponding to the latitude of the place of observation which are tabulated, sa follows:

Latitude	Angular Convergency in seconds of arc per kilometer of Departure
5°	2.83
6°	3.40
7°	3.97
8°	4.55
9°	5.12
10°	5.70
11°	6.29



Latitude	Angular convergency in seconds of arc kilometers of departures
12°	6.87
13°	7.46
14°	8.06
15°	8.66
16°	9.27
17°	9.88
18°	10.50
19°	11.13
20°	11.76
21°	12.41

The angular convergency correction, expressed in seconds, shall be added to the observed astronomical azimuth for points west and subtracted for points east of the central meridian.

All bearings of lines and coordinates of corners not in accordance with the Philippine Plane Coordinate System as used in the area computations of surveyed mining claims that are within 150 m. from the periphery of the mining claim undergoing survey shall be transformed to the Philippine Plane Coordinate System.

The zone number and central meridian of the Philippine Plane Coordinate System shall, in all cases, be indicated on the fieldnotes, computations, plans, maps and reports of the surveys.

For higher precision of surveys, convergency corrections, scale factors and azimuth correction (T-t) shall be referred from the formula used in the table of DANR Technical Bulletin No. 26, however, for the tertiary precision of surveys, the scale factors and the azimuth correction (T-t) may be discarded.

Mining surveys shall be definitely fixed in position on the earth's surface, by monuments of prominent and permanent structure marking corner points of the mining claims and by bearings and distances from the points of known geographic or Philippine Plane Coordinate System.

These tie points shall either be, as follows:

1. Triangulation stations established by:
  - a) The Bureau of Coast & Geodetic Survey.
  - b) The United States Army Engineer Survey.
  - c) The 29th Engineer Topographic (Base) Battalion.
  - d) The Bureau of Lands.
  - e) The Bureau of Mines.
  - f) Other organizations, the survey of which is of acknowledged standard.
2. Bureau of Lands Location Monuments (BLLM) and Bureau of Lands Barrio Monuments (BLBM) established by the Bureau of Lands.
3. Political Boundary Monuments such as Provincial Boundary Monuments (PBM), Municipal Boundary Monuments (MBM), and Barrio Boundary Monuments (BBM): *Provided*,

That they were established by Cadastral Land Surveys, Group Settlement Surveys or Public Land Subdivision Surveys of the Bureau of Lands.

4. Bureau of Mines Reference Points (BMRP) monuments established by the Bureau of Mines.
5. Church cross, church spire, church dome, church tower, historical monument of known geographic or Philippine Plane Coordinate System acknowledged by the Bureau of Coast & Geodetic Survey, Bureau of Lands or Bureau of Mines.
6. Corners of approved mineral land surveys with known geographic and/or Philippine Plane Coordinate System may be used as starting point of a mining survey: *Provided, however*, That at least three (3) or more undisturbed corners of concrete monuments are surveyed for a good common point and the tie line is computed from the tie point of the aforesaid approved surveys.

Should any discrepancy of datum plane between or among tie points arise, proper investigation shall be conducted by the authorized geodetic engineer and a report thereon shall be submitted to the Director to form part of the survey returns for further investigation and record purposes.

Plans of mining claim/s recorded under the Decree shall be correctly and neatly drawn to scale in drawing inks on the survey plan (BM Form No. MRD-18) hereto attached as Appendix "F", and made part of these Regulations.

The latitudes and longitudes of the meridional block shall be drawn to scale on the plan whenever practicable, in light black inks:

In addition to the symbols used to designate various kinds of mineral land surveys, the survey symbol LS shall be used to designate a lease survey of mining claims, or QS for quarry permit or license survey as used in the Decree and shall be preceded by a letter B, M, D, C, or S if the claim is situated in Baguio, Manila, Daet, Cebu or Surigao region, respectively.

The manner of execution of mineral land surveys shall be in accordance with these Regulations, as supplemented by the Manual of Regulations for Mineral Land Surveys in the Philippines promulgated on June 22, 1965 and the Philippine Land Surveyors Manual (Technical Bulletin No. 22, Bureau of Lands, July 1, 1955), as far as the provisions thereof are not inconsistent with the Decree: *Provided*, That all mineral land surveys ordered but the survey returns thereof have not as yet been submitted shall be executed in accordance with these Regulations: *Provided, further*, That all mineral land surveys already executed and the returns already submitted shall be governed by the Manual of Regulations for Mineral

Land Surveys in the Philippines and the Philippine Land Surveyors Manual.

SEC. 25. *Submittal and Verification of Survey Returns*—Survey returns of mining claim/s shall be submitted to the Director within one (1) year from receipt of the order of survey, and shall consist of the following:

- (a) Field notes completely filled in, paged and sealed (G.E.) and fieldnotes cover on BM Form No. MRD-16 hereto attached as Appendix "G", and made part of these Regulations, duly accomplished, signed and sealed by the geodetic engineer and notary public.
- (b) Azimuth computations from astronomical observations, traverse computations, area computations, elevation and topographic survey computations and other reference computations all in original and in duplicate properly accomplished and signed by the computer and the geodetic engineer.

Computerized (EDP) computations, however, may be submitted in place of the duplicate computations.

- (c) Tracing cloth plan/s duly accomplished with the corresponding working sheet thereof.
- (d) Descriptive and field investigation report on the mining claim in quintuplicate duly signed by the geodetic engineer and authorized assistant, if any, and duly notarized.
- (e) A consolidated plan at scale of 1:4,000 showing the relative positions of the surveyed mining claim/s and other claims with existing rights at the time of the survey, if any.
- (f) Other documents pertinent to the survey of mining claim/s.
- (g) Original order of survey.

Survey returns without items (a) to (g) above shall not be accepted for verification and approval purposes.

Unless for reasons of *force majeure*, failure to submit the survey returns within the period prescribed in the Decree and these Regulations shall cause the claim subject thereof to lapse automatically.

Corners and/or location monuments of approved surveys of mineral lands, in spite of the nullity, cancellation, rejection or abandonment of the mining rights over the surveyed area, shall be preserved as reference mark and the geographic position thereof shall be kept for use in future mineral land surveys, unless otherwise said survey is found to be erroneous by later approved mineral land surveys.

Mineral land surveys of subsisting mining claims, rights, permits, and leases which are found to be

erroneous may be ordered by the Director to be corrected *motu proprio*, when justified by existing circumstances.

SEC. 26. *Withdrawal of Survey Order*—If the Director finds that the deputy geodetic engineer has violated the terms and conditions of the survey order or of the survey service contract, or has failed to execute the survey and submit the survey returns within the period prescribed in the Decree as represented by him in the affidavit mentioned in Sec. 19(4), the Director shall not issue any new survey orders in favor of the said deputy geodetic engineer, withdraw the existing authority over the claims involved, and forfeit the corresponding bond without prejudice to any criminal, professional, or any other liability arising out of such failure or violation, and misrepresentation.

SEC. 27. *Survey Order Non-Transferable*—Survey orders are non-transferable. However, in case of death or physical incapacity of the geodetic engineer or withdrawal of authority for another cause by the Director, the latter may issue a new survey order to another duly qualified geodetic engineer for the remaining period or for a longer period if *force majeure* prevented compliance with the survey order within the required period.

#### CHAPTER VI

#### APPLICATION FOR MINING LEASE

SEC. 28. *Who May Apply for a Mining Lease*—

(a) *General Qualifications of Applicant*:

(1) In case of individual, he must be of legal age and a citizen of the Philippines.

(2) In case of a corporation or partnership, it should be organized under the laws of the Philippines and duly registered with the Securities and Exchange Commission and at least sixty per centum (60%) of the capital stock of which is owned and held and shall at all times be owned and held by citizens of the Philippines.

(b) *Financial Capability of Applicant*: The determination of financial capability of the applicant for mining lease shall depend on the submitted program of work proposed to be undertaken on the area applied for covering the first five-year period from the date the lease is granted stating therein the capital available which may be in cash, credit line, fixed deposit and/or equipment. The availability of cash shall be certified by a bank or banking institution where the amount is deposited with a commitment by the applicant that the same shall not be withdrawn except for the exploration of the areas applied for and in case of credit line, a certificate of the bank or banking institution to the effect that based on applicant's credit standing, said bank or banking institution is ready to extend the necessary credit line for mining purposes. In

case the mining claims are under operation or to be operated by an operator, the operating agreement or service contract shall be submitted.

- (c) *Technical Competence of Applicant:* Proof of technical competence of the applicant shall be submitted showing the names of the technical men to undertake the operation pursuant to the submitted work program, professional license number, education, training and experience and contract of employment with the applicant, as well as such other information required in the form (BM Form No. MRD-10) hereto attached as Appendix "H", and made part hereof.

SEC. 29. *Application for Lease*—Within two (2) years from the date of the registration of the mining claim, the claim owner shall file with the Mines Regional Recorder concerned an application for lease of mining claim in quintuplicate, in the prescribed form (BM Form No. MRD-10) hereto attached as Appendix "I", and made part of these Regulations.

The application shall be duly subscribed and sworn to before a Notary Public or any official authorized by law to administer oaths and stating particularly, among others, with sufficient fullness and clarity, the following:

(a) Full name and post office or business address of the applicant;

(b) Applicant's citizenship, age, sex and civil status, in the case of an individual; the situs (place) and the date of organization, registration and length of authorized organizational or corporate life or existence, in case the applicant is a partnership or corporation; and

(c) Location, shape and area being applied for.

No application for lease of mining claim shall be accepted for filing unless accompanied by an application fee of P50.00 per claim and by the following supporting papers:

(1) Duly approved survey plan (8 copies), and a geodetic engineer's report;

(2) Report under oath of a licensed mining engineer or licensed geologist on the mineral character of the land (5 copies);

(3) A certified copy of the duly registered deed of assignment in case the applicant is other than the locator of the mining claim exclusively applied for;

(4) A certified copy of the duly registered articles of partnership or incorporation, and by-laws in case of corporation;

(5) In case the applicant is a corporation, an affidavit of its treasurer stating in effect that the provisions of the Corporation Law, as amended, have not been violated;

(6) Proof of compliance with the required annual work obligation;

(7) If the application is filed by an agent of the applicant, a certified copy of the registered power of attorney granted by the applicant;

(8) In case the area applied for is a public land covered by concessions or rights other than mining, the written permission of the government official concerned as provided in Section 12 of the Decree;

(9) The program of work proposed to be undertaken on the area applied for;

(10) If the applicant is a corporation or partnership, a certified list of its board of directors, its partners and executive officers as required under Mines Administrative Order No. V-14 dated April 12, 1957.

SEC. 30. *Areas Covered by Application*—A single application for lease of mining claims may be filed and a single lease may be granted covering adjoining or contiguous mining claims belonging to the same claim owner.

The maximum area of mining claims which may be leased shall be, as follows:

(1) In any one province:

- (a) To individuals, five hundred hectares;
- (b) To mining partnerships or corporations, five thousand hectares.

(2) In the entire Philippines:

- (a) To individuals, one thousand hectares;
- (b) To mining partnership or corporations, ten thousand hectares:

*Provided*, That the Director may, with the approval of the Secretary, allow an applicant to lease a larger area not exceeding 10,000 hectares in any one province, depending upon the nature of the deposit, the kind of minerals located and other circumstances inherent in the operation of the mining claims justifying the grant.

SEC. 31. *Application for Mines Temporary Permit*—After the lease survey of his mining claims, and pending the issuance of the lease contract, a claim owner may file an application for a mines temporary permit with the Director, Manila, covering any or all of the mining claims embraced by his lease application, using for the purpose the prescribed form (BM Form No. MRD-8) which is attached hereto as Appendix "J", and made part of these Regulations.

SEC. 32. *Filing of Application for Mines Temporary Permit*—No application for mines temporary permit shall be accepted unless accompanied by an application fee of P50.00, and the following supporting papers:

(1) Proof of payment of fees, taxes and royalties due on the mining claims;

(2) Proof of compliance with other work obligations on the mining claims;

(3) Advanced technical description of the areas covered thereby; and

(4) Surety bond in the prescribed form (BM Form No. 5) hereto attached as Appendix "K", and made part of these Regulations, in an amount to be fixed, and with surety or sureties approved by the Director, together with the certificate of authority of the bonding company, the certification of the Office of the Insurance Commissioner as to the maximum writing capacity thereof, and the reinsurance agreement, if necessary.

**SEC. 33. Processing and Evaluation of Application for Mines Temporary Permit**—After processing and evaluation of the application, the Director may issue the permit in the prescribed form (BM Form No. MRD-9), hereto attached as Appendix "L", and made part of these Regulations, for a period of not more than one (1) year, which permit is renewable once only for a like period, conditioned upon compliance with all the obligations and requirements incidental thereto.

**SEC. 34. Who are Disqualified from the Issuance of Permit**—An applicant who is at the same time a holder of subsisting mining or petroleum rights, grants, permits, leases and/or concessions shall not be issued a mines temporary permit for the application under consideration if he has not properly met and/or satisfactorily performed all his obligations with respect to such subsisting permits, rights, leases, grants and/or concessions.

**SEC. 35. Areas that Cannot be the Subject of Permit**—No mines temporary permit shall be issued over areas involved in a conflict unless a decision has been rendered in favor of the applicant by the Director and upon posting of a surety bond double the amount of the expected profits realizable from the area in the event of appeal.

**SEC. 36. Publication of Application for Mining Lease**—If the Director finds that the application is in order, that the applicant is duly qualified, and that all the requirements are fully complied with, he shall cause the publication and posting of the notice of the application on the dates to be fixed by him in the following manner:

- (a) Publication once a week for two (2) consecutive weeks in two (2) newspapers, one of general circulation published in Manila either in Filipino or English and another published in the municipality or province where the mining claim is situated, if there be such newspaper, otherwise in the newspaper published in the nearest municipality or province.
- (b) Posting of a copy of the notice for two (2) consecutive weeks on the bulletin board of the Bureau of Mines, Manila

and also on the bulletin board of the Mines Regional Office where the mining claim is situated.

- (c) Posting by the applicant of a copy each of said notice and the approved plan of the mining claim or claims covered for a period of two (2) consecutive weeks on the bulletin board of the Municipal Building of the municipality where the claims are located.

The applicant shall pay all the expenses for publication and posting of the notices of the publication.

**SEC. 37. Additional Documents After Publication**—After publication of the notice of the application, the applicant shall submit to the Director the following:

- (a) Affidavit that copies of the notice and plan have been posted in the required places, attested by the government official in charge of the bulletin board of the municipality where such notices were posted.
- (b) Affidavits of two (2) disinterested persons with personal knowledge that the copies of the notice and approved plan have been posted in the required places.
- (c) Two (2) copies of the page of each newspaper issue containing the printed notice.
- (d) Affidavit by each of the two publishers stating that the notice of application had been published in the corresponding issues of their newspaper.
- (e) Official receipts or certified copies thereof showing the payment of occupation fees and taxes.

**SEC. 38. Verification of Area Applied for**—Prior to the issuance of the lease contract, the mining claims covered thereby shall be verified in the field by a licensed geologist and a licensed geodetic engineer duly designated by the Director to confirm if the claims are mineralized, surveyed and duly monumented. Within five (5) days from the date of completion of verification, the geologist and geodetic engineer shall each submit their respective findings in quintuplicate to the Director.

**SEC. 39. Issuance of Mining Lease Contract**—If no adverse claim is filed within fifteen (15) days after the first date of publication, it shall be conclusively presumed that no such adverse claim exists and thereafter no objection from third parties to the grant of the lease shall be heard, except protest pending at the time of publication, and the Secretary, upon recommendation of the Director, based on favorable findings of the lease application and after the area has been verified as to its mineralization and the due execu-

tion of the lease survey, shall approve and issue the corresponding mining lease contract.

SEC. 40. *Duration of the Lease.*—The term of the lease shall be for a period not exceeding twenty-five (25) years from date of its issuance, renewable under such terms and conditions as may be provided in the lease contract, for another period not exceeding twenty-five (25) years.

SEC. 41. *Terms and Conditions of the Lease.*—A mining lease contract shall be issued to an applicant for a mining lease on the prescribed form (BM Form No. MRD-11) hereto attached as Appendix "M", and made part of these Regulations. The mining lease contract shall contain the following minimum terms and conditions:

- (1) In consideration of the rentals, covenants, and agreements contained in the lease contract, which the lessee has agreed to pay, keep and perform, the lessor has leased, let, and demised certain areas covered by the mining claims described therein.
- (2) The full term of the lease shall be for a period of twenty-five (25) years from and including the date of the grant of the lease contract, renewable under such terms and conditions as may be provided for by law and the regulations at the time of the renewal.
- (3) For the privilege of exploring, developing, mining, extracting and disposing of all the mineral deposits on and underneath the lands covered by the lease, the lessee shall pay an annual rental per hectare or fraction thereof pursuant to the National Internal Revenue Code, the first annual rental to be due and payable in advance on the date of the granting of the lease and at the same time every year thereafter during the life of the lease or any renewal thereof, and a royalty pursuant to the provisions of said Act.
- (4) If mining is carried on within private lands, the lessee shall indemnify the private landowner of the actual damages caused by the mining operation as well as the reasonable rentals for the use of the said premises, all rentals to be due and payable pursuant to existing laws, decrees and regulations.
- (5) Payment of real estate tax on all buildings and other improvements built on the land leased at the rate and in the manner all other real estate taxes are paid under the Assessment Law.
- (6) Payment of rentals, royalties and taxes required to be paid on mining claims and

minerals shall be made in accordance with the provisions of the Decree and other laws existing at the time of the execution of the lease contract and/or in accordance with whatever rates of rentals, royalties and taxes that may be prescribed by law thereafter. Copies of receipt of such payment and the names of the mining claims, lease number and the names of persons, partnerships or corporations for which such payment has been made shall be furnished the Director by the lessee within thirty (30) days from the date of the payment of such rentals or royalties due on any mining lease or minerals that may be extracted therefrom. Failure to do so shall be deemed as non-payment of same and may cause the cancellation of the lease contract.

- (7) Failure to pay the required annual rentals or royalties, taxes and fees for a period of thirty (30) days after demand, or for two (2) consecutive years without such demand, shall cause the lease to lapse and the mining claim or claims, with respect to which such failure to pay was made, shall thereupon be open to relocation and lease by other persons qualified to locate and lease mining claims under the provisions of the Decree, in the same manner as if no location and lease of the same had ever been made, unless the lessee, his heirs, executors, administrators, assigns, or legal representatives shall have made such payments and have resumed work on the mining claims after such failure and before such relocation. No person who may be delinquent in the payment of any rentals, royalties, taxes or fees on any mining claim or claims held under the lease may directly or indirectly relocate the same or any portion thereof. The Government shall not be precluded from collecting any rentals, royalties, taxes or fees, together with the corresponding interests and surcharges that may be due. Failure to pay real estate tax shall subject the lessee to the same liabilities as provided for in the Assessment Law.
- (8) Waiver by the lessee of all rights to notice or demand provided for in Section 2, Rule 70, of the Rules of Court of the Philippines as well as all other periods of grace for payment of royalties and rentals. The lessee further waives any right to any reduction of rent on account of any loss or damage suffered by reason of extraordinary unforeseen fortuitous events.
- (9) A mining lease contract shall grant to the lessee, his heirs, successors, and as-

signs the right to extract all mineral deposits found on or underneath the surface of his mining claims covered by the lease, continued vertically downward, to remove, process, and otherwise utilize the mineral deposits for his own benefit; and to use the lands covered by the lease for the purpose or purposes specified therein.

- (10) The lands covered by the lease shall be used for mining purposes only and for the exclusive benefit of the lessee, but should the lessee use or attempt to use the premises or permits them to be used for purposes other than mining, or directly or indirectly for the benefit of any other person or entity not qualified to acquire a mining lease, then and in this event the lease shall at once terminate, and all the rights and interest in said lease shall be forfeited, and all improvements made by the lessee in the premises shall vest in and become the property of the Government, unless the lessor shall find sufficient cause to waive the rescission and forfeiture arising from a violation of the conditions prescribed in the lease contract.
- (11) The lease shall be subject to the easements of the coast police and other easements provided for by the Civil Code of the Philippines, and to the provisions of the Decree, and to any law or laws now existing or which may hereafter be enacted or decreed, and to all easements and other rights acquired by owners of adjacent lands and those bordering upon the foreshore or marshy lands. The lease is likewise subject to the condition that the lessor may, for public interest or benefit, construct roads, trails, bridges, tunnels, canals, ditches, trenches, railroad in or through the area covered by the lease for use of the army, the public, or any branch or office of the Government.
- (12) The lease may be revoked at any time after due notice whenever deemed necessary or convenient for public purposes, such as shipping, navigation, and others, in the discretion of the President. During the life of the lease, the public use of the shores and of the space of three (3) meters wide along the waterfront measured inshore from the high water mark and the salvage easement provided for by the Spanish Law of Waters of 1866 shall not be impaired.
- (13) The lessor reserves the right to grant or use such easement in, over, through, under, or upon lands so leased as may be neces-

sary to the working of the same, or other mineral lands as well as the right to lease, sell, or otherwise dispose of the surface of the land embraced within the lease under existing law or laws insofar as said surface is not necessary for use by the lessee in extracting and removing the mineral deposits from the land covered by the lease or in beneficiation of the ores extracted therefrom, or from any other mining claim; or to issue such permits for easements provided in the lease to be reserved and to permit the use of the land covered by the lease, as may be necessary for the construction and maintenance of mills, mining camps, or other works incident to the mining and milling operations on the lands covered by the lease or on any other mineral lands.

- (14) Performance by the lessee of annual work obligations on the claims covered by the lease at no less than ₱100.00 per hectare per calendar year: *Provided*, That in the case of a lease covering a group of two or more adjoining claims leased or held in common, concentration by the lessee of all the annual work obligations on any or more of several contiguous or geologically related mining claims in one province may be allowed, if it can be shown to the Director that such concentration of work will be most advantageous and beneficial in the development and operation of the mining claims. Any excess in the minimum amount of expenditures required in any calendar year for work obligations per hectare may be carried forward and credited to the work obligations of the group claims for the succeeding year or years. If the expenditure incurred for any claim is less than that required in any year, the difference shall be paid to the Bureau of Mines which shall accrue to its Mines Special Funds. Proof of compliance with the annual work obligations shall be submitted by the lessee by filing a sworn statement with the Director or his duly designated deputy within sixty (60) days from the end of the year in which the work obligation is required, in the form prescribed for the purpose. Failure of the lessee to file such proof of compliance for two (2) consecutive years shall cause the forfeiture of all rights to the mining claims covered by the lease.
- (15) The whole or any part of the premises covered by the lease shall not be sublet by the lessee nor shall the lease be assigned

without permission in writing of the lessor first had and obtained and in this case, only to persons, partnerships or corporations qualified to acquire the same under existing laws.

- (16) The lessee fully understands and agrees that the land described in the lease contract is leased and demised subject to the provisions of the Decree, the National Internal Revenue Code, and the Assessment Law, and he shall comply with the provisions of the said laws, as well as with those that may hereafter be enacted and decreed, and the rules and regulations promulgated including the policing and sanitation of mines, pollution control, easements, drainage, disposal of waste and tailings, water rights, rights-of-ways, right of government survey and inspection, the levying and collection of rentals, royalties and taxes, the protection of the interests of the Government and the promotion of the public welfare, and other necessary means to their economic utilization, as well as such rules for the purpose of insuring the exercise of reasonable diligence, skill and care in the mining operation, and prevention of undue waste on the land covered by the lease, and shall particularly comply with the provisions of Section 91 of the Decree.
- (17) A report under oath of the production of the previous month showing the different kinds of ores and minerals extracted, the quantities thereof shipped, the amount stockpiled after the shipment, the name of the mining claims from where taken, and a full and complete statement of the work done on or underground the area covered by the lease, and such other information required, shall be submitted by the lessee to the Director in the prescribed form within fifteen (15) days after the end of each calendar month. The lessee shall also be required to submit a report whether or not there is production for a given period.
- (18) For failure of the lessee to comply with any provision of the Decree, the National Internal Revenue Code and the Assessment Law, both as amended, and the rules and regulations promulgated thereunder, or any of the covenants mentioned in the lease contract, the lessor may declare the lease cancelled and, after having given thirty (30) days notice in writing to the lessee, may enter and take possession of said premises, and said lessee shall be liable for all unpaid rentals, royalties and taxes due the Government on the lease up to the time of the forfeiture or cancellation, in which event, the lessee covenants and agrees to give up the possession of the property leased.
- (19) At any time during the life of the lease, the lessee may apply for the cancellation thereof and surrender the property leased whenever, because of *force majeure*, or for another cause, it is impossible to continue profitable mining operations thereon, and thereupon said lessee shall pay all rentals, royalties and taxes then due, including payments corresponding to the unexpired period of the current year of the lease. Any property of the lessee not removed from the premises within one year from the termination of the lease or any extension thereof shall become the property of the lessor.
- (20) The statements made in the lease application shall be considered as essential conditions and parts of the lease and any false statement or omission of facts in said application, if known or if truly or completely stated at the time of the filing of said application would have caused the denial of the same, shall give a right to the lessor to rescind the contract and to forfeit all amounts already paid and the improvements made or existing on the area covered by the lease.
- (21) The covenants provisions, clauses, and conditions of the lease shall extend to and be binding upon the successor or successors of the lessor, and to and upon the successors, executors, administrators, legal representatives, and assigns of the lessee.
- (22) If, for any reason, the lease is terminated or cancelled, the lessee shall deliver to the Director for file the official copy or copies of the lease contract in the possession of the lessee.
- (23) Any change of address during the duration of the lease shall be given the Director in writing by the lessee. Failure to receive any notice to be made by reason of any change of address shall be deemed as waiver of such notice.

SEC. 42. *Conservation Measures*.—A holder of a mining lease pursuant to Section 91 of the Decree shall undertake studies and researches and shall take appropriate measures in accordance with the most modern practices to maximize recovery, effect wise utilization of minerals and stop or prevent unnecessary wastes in mining and milling operations. Thus, lessees and permittees and their operators shall be required to utilize in their exploration,



development, exploitation and utilization, the latest and most improved methods and devices to prevent wastes, or from causing pollution or otherwise damaging streams, surface or underground water supply, and valuable mineral deposits.

During the productive operation of any mine or leased mineral lands, they shall take necessary measures to provide for the growth and development of any industry suitable for the area other than mining in order that when the mine is exhausted or becomes no longer profitable for mining purposes the people residing therein or those who used to work for the mine will have a substitute industry or business activity to provide for their means of livelihood. Furthermore, the mine or leased area shall be placed in a condition suitable for habitation or agriculture, and free from danger of cave-ins, slides, and other risks brought about by the mining operations.

For this purpose, and in connection with the work program, the mining lessee and/or the operator shall submit to the Director a study report which shall include, among others, the following:

(a) Mining methods taking into consideration recovery, economy and safety;

(b) Milling and metallurgical processing taking into consideration optimum recovery;

(c) Waste disposal system;

(d) Provision for growth and development of any industry suitable for the area other than mining;

(e) Surface restoration and/or improvement of the mining area;

(f) Study of environmental impact and the effect of mining activities on the ecology of the area during and after operations; and

(g) List of all mining and milling machinery and equipment used or to be used together with their specifications, performance and efficiency.

**SEC. 43. Causes for Cancellation of Lease Contract.**—The statements made in the application or made in support thereof shall be considered as conditions and essential parts of the mining lease that may be granted by virtue of such application, and any falsehood in those statements or omission of facts which may alter, change, or affect substantially the facts set forth in said statements may cause the cancellation of the lease granted.

A mining lease may also be cancelled under any of the following causes:

(a) For failure of the lessee to perform the work obligations required by Section 24 of the Decree;

(b) For failure to pay for two (2) consecutive years the royalties, taxes, rentals and occupation fees due thereon, as required by Section 51 of the Decree; and

(c) For violation of the terms and conditions of the lease, the provisions of the Decree, and these Regulations.

**SEC. 44. Procedure for Cancellation.**—Before any mining lease contract is cancelled for any cause enumerated in Section 43 above, the mining lessee shall first be notified in writing of such cause or causes, and shall be given an opportunity to be heard, and to show cause why the lease shall not be cancelled.

If, upon investigation, the Secretary shall find the lessee to be in default, the former may warn the lessee, suspend his operations or cancel the lease contract.

**SEC. 45. Effect of Expiration and Cancellation of the Lease.**—Upon the expiration of the lease, the operation of the mine may be undertaken by the Government through one of its agencies or through a qualified independent contractor. In the latter case, the contract shall be awarded to the highest bidder in a public bidding held after due publication of the notice thereof but the lessee shall have the right to equal the highest bid and reimburse the expenses of the highest bidder.

Immediately after a mining lease contract is cancelled or otherwise terminated, the Director shall cause the same to be entered in the mining register and a notice thereof shall be posted on the bulletin board of the Bureau of Mines, and the lands covered thereby shall thereupon be open to location and lease by other qualified persons.

At any time during the life of the lease, the lessee may apply for the cancellation of the lease contract due to *force majeure* or for causes which render continued mining operations no longer profitable.

## CHAPTER VII

### WORK OBLIGATIONS

**SEC. 46. Start of Performance of Work Obligations.**—The annual work obligations for each mining claim shall start with the calendar year immediately following the date of recording of such mining claim, and in the case of patentable and other claims the annual work obligations shall start with the calendar year following the date of the approval of the Decree.

**SEC. 47. Minimum Work Obligations.**—The annual work obligation of a claim owner under the Decree and previous mining laws shall be, as follows:

1. Before the lease contract is granted,  
per hectare per calendar year ..... P20.00
2. After the lease contract is granted,  
per hectare per calendar year ..... P100.00

A holder of a patentable claim shall before the grant of the patent applied for perform annual



work obligations on his mining claim, the value of which shall not be less than two hundred fifty pesos (P250.00) per hectare per calendar year.

**SEC. 48. *Group Development of Mining Claim.***—The claim owner or lessee may concentrate all the annual work obligations on any one or more of several contiguous or geologically related mining claims in one province, if it can be shown to the Director that such concentration of work will be most advantageous and beneficial in the development and operation of said mining claims.

**SEC. 49. *Cost of Buildings, Equipment and Machinery Used.***—The cost of buildings, machinery, equipment, roadways or other works shall be considered as expenditures for work obligations if it is clearly shown that they are essential to the exploration, development, and exploitation of, or will facilitate the extraction of minerals from, the mining claims: *Provided*, That the cost of such buildings, equipment, apparatus, machinery, supplies and materials shall be credited annually against the work obligation at the rate of not more than twenty-five *per centum* (25%) thereof only from the moment they were used, but in no case to exceed fifty *per centum* (50%) of the amount of the work obligation on the said mining claims for that year. At least fifty *per centum* (50%) of the amount of work obligations must be for costs of labor, and fees and charges for geological, geophysical, geodetic, geochemical and other related surveys and for laboratory and pilot plant testing.

The cost of such buildings, machinery, apparatus, equipment, supplies and materials shall mean the historical cost thereof less depreciation, as certified by a certified public accountant.

**SEC. 50. *Carrying Forward of Exploration Expenditures.***—Any amount actually spent for exploration work and allowable under these Regulations in excess of the minimum amount required for any year or years may be carried forward and credited to exploration work obligations required for the succeeding year or years during the existence of the mining claim.

**SEC. 51. *Failure to Perform Necessary Work Obligations.***—For failure to comply with the minimum work obligation on any mining claim in any one year as provided in these Regulations, the claim owner or lessee shall pay to the Government the difference between the minimum amount required and that actually spent and/or allowed for any year. Failure to pay the said amount within thirty (30) days from date of the order of the Director to pay or continued failure to perform the necessary exploration work within the claimed or leased area for two (2) consecutive years shall, in addition to payment of the amount due, cause the mining claim to lapse automatically.

**SEC. 52. *Report of Expenses.***—A separate report of expenses for each mining claim certified by a certified public accountant shall be submitted within sixty (60) days following the end of each calendar year and the same shall cover the expenses incurred during the preceding calendar year: *Provided*, That in meritorious cases the Director may grant an extension of time to file the report but such extension shall not exceed thirty (30) days. The form (BM Form No. MRD-20) to be used therefor shall conform to Appendix "N" which is made part of these Regulations.

**SEC. 53. *Examination of Report of Expenses.***—All reports of expenses shall be examined by the Director or his representative in order to determine whether the reported expenses were incurred for the area covered by the mining claim or credited against the work obligation.

The Director shall disallow any item or items of expenditures not properly incurred for the area covered by the mining claim or credited against the work obligation but any of his disallowances may be the subject of a motion for reconsideration or an appeal as in decisions on mines administrative cases.

## CHAPTER VIII

### TRANSFERS, ASSIGNMENTS, OPERATING AGREEMENTS AND SERVICE CONTRACTS

**SEC. 54. *Assignment of Mining Lease or any Interest Therein.***—No mining lease contract or any interest therein shall be transferred, assigned, or subleased without the prior approval of the Secretary upon recommendation of the Director: *Provided*, That such transfer or assignment shall be duly registered with the Office of the Mining Recorder concerned.

**SEC. 55. *Operating Agreement.***—No claim owner or holder of a mining lease may enter into an operating agreement for the exploration, development and exploitation of his mining claims without the approval of the Secretary, upon recommendation of the Director.

**SEC. 56. *Service Contract.***—A service contract may be entered into with any foreign and/or local entity for financial, technical, management or other forms of assistance by the lessee for the exploration, development, exploitation or utilization of the latter's mining claims and the processing and marketing of the products thereof under the provisions of Section 44 of the Decree, subject to the approval thereof by the Secretary, upon recommendation of the Director.

**SEC. 57. *Filing of Applications for Approval of Assignments, Operating Agreements and Service Contracts.***—A lessee may file an application for the

approval of an assignment, operating agreement or service contract with the Director, upon payment of an application fee of P1.00 per hectare. No application shall be accepted for filing unless accompanied by the deed of assignment, operating agreement or service contract sought to be approved.

SEC. 58. *Approval of Assignments, Transfers, Sublease and Operating Agreements.*—No transfer, assignment, sublease, or operating agreement shall be approved unless the transferor, assigner, or lessee has complied with all the obligations of the lease; the transferee, assignee, sublessee or operator is a qualified person as defined in Section 1, paragraph 15 hereof; and the latter is financially capable and technically competent to conduct mining operations. As a condition to the approval of assignments, transfers, sublease and operating agreements, additional work obligations over and above the minimum work obligations may be imposed by the Secretary, upon recommendation of the Director, if circumstances warrant.

SEC. 59. *Approval of Service Contracts.*—No service contract for the exploration, development, exploitation and utilization of mineral resources shall be approved, unless:

1. The lessee has duly acquired and is qualified to hold the area covered by his mining claims;
2. The service contractor has the capacity to contract, and, in case of a foreign service contractor, has, complied with the registration and licensing requirements of Philippine laws;
3. The service contractor has proven that he has the financial capability and technical competence to render the financing, technical, management and other services stipulated in the service contract;
4. The service contract contains the following minimum terms and conditions:
  - (a) The stipulated service fee;
  - (b) The financing, technical, management and other services committed to be rendered under the service contract, specifying a minimum amount of expenditures, which should be over and above the minimum work obligations of the lease and acceptable to the Secretary as recommended by the Director;
  - (c) Scheme for the repayment of service fees and repayment of advances which may include the following:
    - (i) Foreign exchange payments duly approved by the Central Bank;
    - (ii) Except for repayment of pre-production expenses which shall adhere

as closely as possible to international practice, a provision that the interest charged on the fair value of the services rendered and actual funds advanced by the foreign entity shall not be more than the prevailing international interest rates charged for similar types of transaction; and

- (iii) A stipulation allowing payment of service fees in cash or in allotment of production which may be exported subject to domestic requirements of the country, or in equity which shall not exceed the Constitutional limits: *Provided*, That such stipulation shall not defeat the citizenship requirement of the Constitution in the exploration, development, exploitation and utilization of the natural resources.
- (d) A stipulation that the foreign entity shall not acquire any title or interest in the leased area;
- (e) A commitment by the service contractor to pay the Government the amount which should have been spent, but was not in direct prosecution of the approved work program;
- (f) A stipulation that the service contract shall be cancelled for repeated failure to comply with the terms and conditions thereof;
- (g) A preference for Filipinos in employment in all phases of operations for which they are qualified;
- (h) A stipulation that alien employees shall be limited to technologists and executives requiring highly specialized training and long experience, and whose employment shall be subject to the required approval under existing decrees, laws and regulations on the matter;
- (i) In every case where foreign technologists and executives are employed, an effective program of training of understudies; and
- (j) A stipulation that the tax exemptions that may be allowed to the lease may be made available to the service contractor.

SEC. 60. *Service Contracts Entered by the Lessee Through the Government*—Service contracts entered through the Government by lessees with local and/or foreign entities shall conform substantially with service contracts covering mineral and other government reservations. No service contract shall be entered into with the Government under a mining claim unless the same is first transferred to the latter under such terms

and conditions as may be determined by the Secretary, upon recommendation of the Director.

SEC. 61. *General Guidelines for Interpretation.*—Service contracts entered into between mining lessees and service contractors, foreign and/or local, shall be interpreted so as to ensure not only the continued inviolability of the Constitution, the existing decrees and laws, but also the attraction of a significant amount of risk capital, both foreign and domestic, into the local mining exploration ventures to hasten the early and expended development of the mineral resources of the country.

#### CHAPTER IX

#### QUARRY PERMITS/LICENSES

SEC. 62. *What are Considered Quarry Resources*—“Quarry Resources” means any common stone or other common mineral substances as the Director of Mines may declare to be quarry resources such as, but not restricted to marl, marble, granite, volcanic cinders, basalt, tuff, rock phosphate, andesite, rhyolite, volcanic glass, diorite, gabbro, serpentine, limestone, sandstone, shale, conglomerate, red burning clays for potteries and bricks, diatomaceous earth, coral sand and decorative stones (Examples: schistose rocks, “Baguio stone,” and slates): *Provided*, That such quarry resources do not contain metals or metallic constituents or other valuable minerals in economically workable quantities, *Provided, further*, That non-metallic minerals such as kaolin, feldspar, bullquartz, quartz or silica sand and pebbles, bentonite, talc, asbestos, barite, gypsum, bauxite, magnesite, dolomite, mica, precious and semi-precious stones, and other non-metallic minerals that may later be discovered and the Director declare the same to be of economically workable quantities, shall not be classified under the category of “Quarry Resources.”

SEC. 63. *Exploitation of Quarry Resources*—Quarry Resources may be exploited only through permits if found in privately-owned lands or through licenses if found in public lands: *Provided*, That the owner of private lands shall have preferential right to exploit the quarry resources found therein: *Provided, further*, That no permit shall be required if the owner shall extract or remove quarry resources from his land for his own personal use.

Areas covered by valid and subsisting mining claims and existing mining leases shall not be the subject of a quarry permit or license.

SEC. 64. *Who may apply for Quarry Permit/Licenses*—An applicant for quarry permit or license shall possess the following qualifications:

- (a) In case of individual, he should be of legal age and a citizen of the Philippines. In the case of a married woman, she should state in her application the name and citi-

zenship of her husband, whose written marital consent should accompany the application unless it can be shown by her affidavit, supported by two (2) disinterested witnesses, that good and sufficient causes satisfactory to the Director or the Mines Regional Officer that such consent is not legally necessary and/or can be dispensed with.

- (b) In case of a corporation or partnership, it should be organized under the laws of the Philippines and duly registered with the Securities and Exchange Commission and at least sixty *per centum* (60%) of the capital stock of which is owned and held by citizens of the Philippines. A certified copy of its duly registered articles of incorporation or partnership should be submitted in support of the application.

SEC. 65. *Application for Quarry Permit or License*—Applications for quarry permit or license shall be filed only with the Mines Regional Officer, using the prescribed form (BM Form No. MRD-2) hereto attached as Appendix “O”, and made part of these Regulations, together with the required filing fee: *Provided*, That all such applications shall be forwarded to the Director for approval or rejection.

SEC. 66. *Survey of Area Applied for Quarry Permit or License*—No application for quarry permit or license shall be approved unless the area covered thereby has been surveyed: *Provided*, That if the area applied for has already been the subject of any public, private, or mineral land survey, it need not be surveyed again.

If the area applied for or any portion thereof has been the subject of a public, private or mineral land survey, the applicant shall submit together with his application two (2) white print copies of the approved survey plan duly certified by the agency concerned or two (2) white print copies of the said survey plan, duly certified as a true and correct copy of said survey plan by a geodetic engineer deputized by the Director and the technical description of the area duly certified by the agency concerned: *Provided*, That in lieu of the aforesaid certified technical description of the area duly certified by the agency concerned, a xerox copy of the certificate of title of the land shall suffice if it contains the technical description of the said land: *Provided, further*, That even if only a portion of the surveyed area covered by the approved survey plan is applied for, no survey shall be required if the said portion can be delineated by existing corners of the approved survey, in which case, it shall be sufficient if the application is accompanied by two (2) copies of the approved survey plan showing the portion of the area being applied for, and the computation sheet of the said

area: *Provided, finally*, That if the area applied for overlaps or encroaches upon existing mining rights, an application for a survey order shall be filed within thirty (30) days after receipt of notice of conflict, the limitation of thirty (30) days within which to do so to the contrary notwithstanding.

SEC. 67. *Filing of Application for Survey*—Within thirty (30) days from the filing of the application for a quarry permit or license, the applicant thereof shall file with the Mines Regional Officer concerned an application on the prescribed form (BM Form No. MRD-3) for the survey of the area applied for, if said area has not been previously surveyed, or said area is only a portion of a surveyed area covered by an approved survey plan if said portion cannot be delineated by existing corners of the approved survey.

SEC. 68. *Documents to Accompany Application for Survey*—The application shall be accompanied by:

- (1) The required filing fee;
- (2) Two (2) copies of the application for quarry permit or license;
- (3) Pertinent documents such as deed of assignment and power of attorney duly registered with Mines Regional Recorder, and in the case of partnership or corporation, a copy of the articles of partnership or incorporation duly certified by the Securities and Exchange Commission;
- (4) A duly notarized survey service contract executed by and between the applicant and the authorized geodetic engineer which shall stipulate, among others, the following:
  - i. The names of the contracting parties;
  - ii. The assigned number and date of filing of the quarry application and location of the area sought to be surveyed;
  - iii. The consideration or contract price and mode of payment of the same.
- (5) Affidavit of the proposed deputy geodetic engineer representing that he can execute the survey of the claims and submit the returns thereof within the period prescribed by the Decree unless prevented by *force majeure*, and admitting payment by the applicant of not less than 20% nor more than 50% of the agreed professional fee paid in advance in consideration of such representation;
- (6) A surety bond filed by the deputy geodetic engineer in the amount of P10.00 per hectare but not less than P500.00 per application for survey, which bond shall be approved by the Director and be subject to forfeiture for failure to execute the survey and/or comply with his obligations under these Regulations.

SEC. 69. *Issuance of Order of Survey*—Upon finding that: (a) the application for an order of survey is sufficient in form and substance; and (b) the applicant has paid in advance not less

than 20% nor more than 50% of the professional fee to the proposed geodetic engineer in consideration of the latter's representation contained in his affidavit mentioned in Sec. 68(4), the Director shall issue the order of survey in BM Form No. MRD-4.

SEC. 70. *Rejection*—Failure to file the application for an order of survey, if necessary, within thirty (30) days from the date of the filing of the application for quarry permit or license shall be deemed an abandonment of the area applied for, and the rejection of the said application.

SEC. 71. *Processing and Evaluation of Application and Issuance of Quarry Permit or License*—After the application for a quarry permit or license shall have been processed and properly evaluated and the requirements therefor fully complied with, the Director may issue the quarry permit or license on the prescribed form (BM Form No. MRD-7) hereto attached as Appendix "P", and made part of these Regulations.

SEC. 72. *Specific Conditions Under Which Permits or Licenses May be Issued*—Permits or licenses for the exploitation of quarry resources shall be issued subject, among others, to the following terms and conditions:

- (a) The permit or license shall be for the exclusive use of the permittee or licensee and shall not be transferred without prior written approval by the Director.
- (b) The applicant for a quarry permit or license shall apply for a survey of the area within thirty (30) days from the date of filing of the application. Failure on the part of the applicant to do so within the said period shall cause the application to lapse automatically. The completion of survey and submittal of survey returns shall be made within the period specified in the survey order. If the area applied for has previously been surveyed and approved by proper authorities, the survey thereof may be considered sufficient for the survey requirements.
- (c) The area applied for shall not be more than one hundred (100) hectares in any one province nor more than one thousand (1,000) hectares in the entire Philippines, the boundaries of which shall be established with prominent marks on the ground.
- (d) The permittee or licensee shall file with the Director a sworn statement of the quantity of materials removed or extracted under the permit.
- (e) The permit or license shall be made available at all times for the inspection and

examination by the representatives of the Secretary or the Director.

SEC. 73. *Duration of Permit or License*—The permit or license shall be for a term of five (5) years from the date of issuance, renewable for one or more terms of five (5) years each, but in no case shall the total exceed twenty-five (25) years: *Provided*, That the application for renewal shall be filed before the expiry date of the permit or license, and the permittee or licensee has complied with the requirements and shall not have been guilty of any violation of the Decree and of these Regulations.

Pending the issuance of a quarry permit or license, a special permit may be granted to an applicant to extract quarry resources for test and experimental purposes in such quantity as the Director may determine.

SEC. 74. *Records of Quarry Resources Removed or Disposed*—The permittee or licensee shall keep books of accounts wherein there shall be entered everyday the quantity of quarry resources removed or extracted from the area as well as the quantity disposed of or sold during the day, their selling prices, the names and addresses of the persons or parties to whom the same were sold or disposed of.

All books of accounts and records required to be kept in the preceding paragraph shall be opened at all times for the inspection of the representatives of the Secretary or the Director. The refusal of the permittee or licensee to allow the authorities concerned to inspect the same, without justifiable reason, shall be sufficient ground for the cancellation of the permit or license.

SEC. 75. *Quarterly Reports*—The permittee or licensee shall submit to the Director within ten (10) days after the end of each calendar quarter a sworn report containing the quantity of quarry materials removed or extracted, the amount of fees paid, the quantity sold or disposed of during the period covered by the report, the selling price, the names and addresses of the person or persons to whom the same were sold.

SEC. 76. *Fees to be Paid by Permittee or Licensee*—The permittee or licensee shall pay in advance for the duration of the term of his permit or license a quarry fee of fifty pesos (P50.00) per hectare, and a royalty of two *per centum* (2%) of the actual market value of the gross output of the quarry materials upon removal thereof.

#### CHAPTER X TAX EXEMPTION

SEC. 77. *Who are Entitled to Benefits and Ex-tent and Duration of Exemption*—"New mines" or "old mines which resume operations" as defined in these Regulations and certified to as such by the Secretary, upon recommendation of the Di-

rector are exempted from the payment of customs duties and all taxes except income tax for the period starting from the exploration stage and ending five (5) years from the first date of actual commercial production of saleable mineral products.

SEC. 78. *Application For Certificate of Qualifications For Tax-Exemption*—No application for certificate of qualifications for tax-exemption shall be accepted for filing, unless accomplished in ten (10) copies in the prescribed form (BM Form No. MRD-21) hereto attached as Appendix "Q" and made part of these Regulations, duly sworn to before a notary public, and accompanied by an application fee in accordance with the following schedule:

- |  |           |
|--|-----------|
| (a) For a project requiring capital investment of P5 million or less .....                             | P500.00   |
| (b) For a project requiring capital investment of more than P5 million but less than P20 million ..... | P1,000.00 |
| (c) For a project requiring capital investment of more than P20 million .....                          | P1,500.00 |

and by the following supporting documents:

- (a) A project study accomplished by a licensed mining engineer in accordance with the "Guidelines for a Mining Project Study" in the form (BM Form No. MRD-22) hereto attached as Appendix "R" and made part of these Regulations;
- (b) A certified copy of the mining lease contract, operating agreement, sublease contract or service contract which may be involved in the mining operations;
- (c) If the applicant is a corporation, certified copies of the certificate of registration, articles of incorporation and by-laws and the citizenship of the stockholders and percentage of their holdings issued by the Securities and Exchange Commission not earlier than five (5) days before the date of filing of the application for tax exemption;
- (d) A sworn statement that the mineral land has never been in commercial production on the date of filing of the application or that the mineral land from which minerals had been extracted in commercial quantities prior to the date of filing of the application has not resumed operations for the last five (5) years prior to the date of application;
- (e) Mining Engineer's report;
- (f) Mine development maps, sections and drill logs;

- (g) List of machineries and equipment to be imported;
- (h) Geologic maps of mineral land;
- (i) Geologic report; and
- (j) Mill flowsheet.

**SEC. 79. Field Examination and/or Verification.**—Immediately after filing of the application, the Director shall send a team composed of at least one (1) geologist and one (1) mining engineer to conduct a field examination and/or verification of the land covered by the lease in order to determine whether the land is a new mine or an old mine resuming operation as defined in Section 1, paragraph 21 and 22, and whether it has combined blocked and geologic ore reserves sufficient to support five (5) years of continuous underground operation, two (2) years of which shall be blocked and three (3) years geologic ore reserves, or ten (10) years of open pit operations, two (2) years of which are blocked and eight (8) years geologic ore reserves.

The applicant shall bear all expenses in the field examination and/or verification and the cost of transportation of the field investigators from their official station to the mine site and return, and all expenses for the chemical analysis of ore sample collected from the field and similar work.

**SEC. 80. Conditions under which Machineries and Equipment may be Tax-Exempt.**—Exemption from the payment of compensating tax and customs duty of machineries and equipment as defined in these Regulations shall be granted only when the Director finds that: . . .

- (a) said machineries and equipment are reasonably necessary and will be used exclusively in the new mine or old mine which resumes operations, as the case may be, for mining as well as for the processing of ore into saleable form or grade: *Provided*, That the value of spare parts that may be imported annually shall not exceed ten percent (10%) of the value of the machineries and equipment, or be more than fifty percent (50%) thereof during the whole period of tax-exemption;
- (b) no locally produced machineries and equipment are available in the required quantity and quality at reasonable prices.

**SEC. 81. Publication of the List of Tax Exempt Machineries and Equipment.**—In furtherance of paragraph (b) of Sec 80 and within one (1) year after filing of the application, the Director shall publish once a week for two (2) consecutive weeks at the expense of the applicant, due notice of the application to import tax free machineries and equipment together with a detailed list thereof, in two (2) leading newspapers. Any local producer or manufacturer of same may submit to the Director within fifteen (15) days

after the last day of publication their firm names, mailing addresses, location of their plants, the name of their general managers, telephone numbers, and the list of such locally produced machineries and equipment, their quality, quantity and price.

Quality being equal, the Director may be guided by a comparison of the prices of such locally produced articles or products and the "entered" cost of competitive imported articles or products.

The publication of the notice shall be dispensed with on subsequent importation of machineries and equipment, which had previously been published and imported tax free.

**SEC. 82. Evaluation and Processing of the Application.**—After the field examination and/or verification of ore reserves and publication of the list of tax-exempt machineries and equipment, the application shall be processed by a Technical Committee composed of the Director or Assistant Director, as Chairman, and all chiefs of technical divisions and the chief legal officer of the Bureau of Mines, as members. The Chairman and four (4) members shall constitute a quorum. On the basis of the study of the Technical Committee, the Director may recommend which of the machineries and equipment may be imported tax-free to the Secretary for final approval.

**SEC. 83. Certificate of Qualification for Tax-Exemption.**—An applicant who qualifies for tax-exemption shall be issued by the Secretary upon recommendation of the Director, a "Certificate of Qualification for Tax-Exemption" in the form (BM Form No. MRD-23), hereto attached as Appendix "S" and made part of these Regulations, which shall be valid for a period starting from exploration stage and ending five (5) years from the date of actual commercial production, and authority to import specified tax-free machineries and equipment from time to time.

The Director shall advise the Secretary of Finance, the Commissioner of Internal Revenue and the Collector of Customs of the granting and date of effectivity of the Certificate of Qualification for Tax-Exemption and furnish each of said officials a copy of the authority to import specified machineries and equipment.

**SEC. 84. Duties and Taxes to be Exempted Among Others.**—The duties and taxes paid by mining companies in the course of their normal operation that are to be exempted from collection shall include but not limited to the following:

1. Special Import Tax
2. Compensating Tax
3. Tariff Duties
4. Specific Tax on Coal
5. Ad Valorem Tax
6. Royalties on Coal, Gold and other minerals
7. Sales Tax

## 8. Real Estate Tax

## 9. Rentals

SEC. 85. *Requirements for the Release of Machineries and Equipment from Customs Custody*—Shipping and other documents covering the importation shall be in the name of the person, partnership, association or corporation duly certified by the Secretary as beneficiary or grantee under these Regulations and to whom the goods shall be delivered by the Customs authorities upon certification by the Director that the goods sought to be released are in accordance with the Certificate of Qualification for Tax-Exemption issued by the Secretary.

SEC. 86. *Bond to be Posted on Imported Machineries and Equipment*—For machineries and equipment ordered and which arrived before the granting of the Certificate and/or approval of the authority to import tax-free such machineries and equipment by the Secretary, a bond in an amount of not less than 150% of the total amount of taxes, duties and fees shall be posted in favor of the Republic of the Philippines in accordance with existing rules and regulations of the Department of Finance before release by the Bureau of Customs.

The Director and the Secretary of Finance shall be furnished copies of the bond which shall be cancelled only upon the granting of the Certificate and after the Director shall have certified that such items are in accordance with the Certificate granted. The bond shall automatically expire in two (2) years after the release of the importation from the Bureau of Customs unless for justifiable reasons the Bureau of Mines extends its effectivity.

Machineries and equipment needed in the exploration may be released from the Bureau of Customs upon posting a bond hereinabove mentioned which shall expire two (2) years after the release of importation unless for justifiable reasons extended by the Bureau of Mines.

Upon expiration of the bond and unless previously cancelled or extended, all taxes, duties and surcharges due on the imported machineries and equipment at the time of expiration of the bond shall be due and payable by the applicant.

SEC. 87. *Labelling of Tax-Exempt Machineries and Equipment*—All mining and milling equipment and machineries acquired under these Regulations, whether tax-exempt or under bond must be labeled with notices in bold letters on at least two conspicuous sides thereof which shall remain thereon for five (5) years following the acquisition date as follows:

## TAX-EXEMPT UNDER P.D. 463

(Acquisition Date)

CQTE Certificate No. ....

SEC. 88. *Right of Inspection*—The Director reserves the right to inspect at least once a year, at

the expense of the applicant and at specified rates, the mine, the tax-exempt machineries and equipment and/or books of the applicant-grantee in order to determine whether the tax-exempt machineries are being utilized for the purpose for which the exemption had been granted. Stock cards for each item of the imported articles showing quantities received, issued and balances with corresponding dates must be maintained.

SEC. 89. *Submission of Report by Tax-Exempt Mine*—Grantees of tax-exemptions shall submit to the Director an annual report in quintuplicate not later than June 30 following the end of the calendar year stating:

- a) Authorized, subscribed and paid-up capital
- b) Nationality structure of equity capital
- c) Capacity of mine and mill
- d) Ore reserves
  - i. At beginning of period.....tons, grade
  - ii. Blocked out during period...Tons, grade
  - iii. Mined during period.....tons, grade
  - iv. At end of period ..... tons, grade
- e) Product sold or shipped, type, tons, average assay, total value
- f) Tax-exempt equipment
  - Name of equipment
  - Acquisition value
  - Date acquired
- g) Tax-exemptions enjoyed
- h) Balance sheets
- i) Statement of income and surplus
- j) Maps of mine workings
- k) Quantity and value of supplies, spare parts and other items received, issued and in stock
- l) All papers and documents that may be required from time to time
- m) Income and other taxes paid

SEC. 90. *Disposition of Tax Exempt Machineries and Equipment*—If any of the tax exempt machineries and equipment acquired under these Regulations are sold, transferred, leased or otherwise disposed of within a period of five (5) years from the date of release from the Bureau of Customs, all taxes and duties which would have been due at the time of such release shall become due and payable, together with interests and surcharges, and which amount shall constitute a lien on the said machineries and equipment.

SEC. 91. *Penalties*—

- a) Failure to comply with any provision of these Regulations shall be sufficient cause for suspension or revocation of the exemption granted;
- b) All statements, representations or reports required under these Regulations shall be under oath and in such form as may be pre-



scribed by the Director and approved by the Secretary; and any person making knowingly any false statement, representation or report under oath shall, upon conviction by a competent court, be subject to punishment for perjury.

#### CHAPTER XI

### MINERAL AND OTHER GOVERNMENT RESERVATIONS

SEC. 92. *Establishment, Disestablishment and Modification of Boundary of Mineral Reservations*—Upon the recommendation of the Secretary, based on the findings of the Director, the President may, subject to existing rights, set aside and establish any area of the public domain as a mineral reservation and prescribe the terms and conditions for its disposition and operation. The President may, subject to existing rights, alter or modify the boundaries of any mineral reservation from time to time or disestablish and revert any mineral reservation to the public domain.

All submerged lands beneath the territorial waters and on the continental shelf or its analogue in an archipelago shall be considered mineral reservations.

SEC. 93. *Mining Location in Mineral Reservations*—There shall be no mining location in mineral reservations hereinabove established: *Provided*, That the President may, by proclamation, open to mining location submerged lands beneath the territorial waters and on the continental shelf or its analogue in an archipelago.

SEC. 94. *Conversion of Other Government Reservations into Mineral Reservations*—Reservations which have been established for purposes other than mining but found to be more valuable for their mineral contents may be converted by the President into a mineral reservation, upon the recommendation of the Secretary. Such reservations shall likewise be closed to mining location.

SEC. 95. *Mining Operations in Reservations*—Only the Bureau of Mines may explore, develop and exploit mineral reservations, directly or through an independent service contractor under a service contract who shall be selected either through negotiation or public bidding.

Upon determination by the Director that there is a necessity to engage an independent contractor for financial, management, technical and other related services in the development, exploitation and utilization of mineral reservations, he may negotiate with any local and/or foreign entity/entities to render such services. In the negotiation, the Director shall see to it that the following minimum terms and conditions are incorporated in the service contract:

1. All the necessary management, technology and finance services to be furnished by the contractor;

2. A condition that the Contractor shall not acquire title or interest in the contract area;
3. The stipulated fee and the manner of payment thereof;
4. A period of exploration limited to two (2) years from date of contract, extendible for another two (2) years;
5. A period of exploitation which shall not exceed twenty-five (25) years, subject to renewal;
6. A payment of service fees and repayment of advances contingent upon commercial production;
7. Obligatory relinquishment of portions of contract area after exploration period which are not needed for exploitation;
8. Work program and minimum expenditure commitment for five (5) years;
9. A fixed amount of percentage of net proceeds from mining operation as service contract fee;
10. Contractor liable for income tax on operations;
11. Remittance in foreign exchange of Government share in net proceeds from mining operations;
12. Provision on consultation and arbitration as to interpretation and implementation of contract;
13. Employment and training of Filipino personnel;
14. Safety and anti-pollution measures;
15. A stipulation that all data and information gathered by the Contractor shall be furnished the Bureau of Mines, and that all books of accounts and records shall be open to inspection; and
16. A provision on repatriation of capital and remittance of profit subject to Central Bank regulations.

If the negotiation is successful, the Director shall submit his recommendation to the Secretary for evaluation and further recommendation if he agrees therewith with his own modifications, if any, to the President for approval.

SEC. 96. *Extraction of Minerals in Government Reservations*—The Bureau of Mines shall take charge in the disposition of minerals in government reservations other than mineral reservations. Prospecting and exploration in such reservations shall primarily be governed by Executive Order No. 245 dated July 10, 1970.

SEC. 97. *Prospecting Permit*—Before a prospector is allowed to enter a government reservation, he shall first secure a prospecting permit from the agency that has jurisdiction over the area. He shall submit to said agency the following:



a) Bureau of Coast and Geodetic Survey Map of scale 1:50,000 showing the boundaries of the area and location thereof in the map prepared by a geodetic engineer; and

b) Proof of financial capability and technical competence.

The term of prospecting permit shall be for six (6) months within which period the applicant may apply for exploration permit with the Bureau of Mines. If portions only of the area covered by the permit are mineralized, the prospector shall modify and reduce the area. In no case should the area be enlarged even if after prospecting the same is found to be larger than the original area applied for. Another application for prospecting permit for the additional area shall be filed thereon.

**SEC. 98. *Application for Exploration Permit***—Upon discovery of mineral deposit or strong evidences thereof, the prospector may apply for exploration permit with the Bureau of Mines on the form (BM Form No. MRD-24) attached hereto as Appendix "T", and made part of these Regulations. He shall pay a filing fee of fifty centavos (P0.50) per hectare, and submit together with his application the following:

a) A certified copy of the prospecting permit which should be subsisting at the date of application for exploration permit;

b) Copy of the same location map as in Section 97(a) accompanied by another map defined by actual survey;

c) Work program for exploration covering the full term of the permit for two (2) years;

d) Proof of financial capability and technical competence to undertake the exploration; and

e) Geologic report of prospecting activities and findings in the area prepared by a licensed geologist or mining engineer.

**SEC. 99. *Approval of Exploration Permit***—The Director shall thereafter cause a geologic verification of the area applied for and upon finding that the same contains minerals, he may issue an exploration permit. He may issue an exploration permit on the form (BM Form No. MRD-25) hereto attached as Appendix "U", and made part of these Regulations, for a period of two (2) years extendible for the same period.

**SEC. 100. *Conditions of the Permit***—The exploration permittee shall be required to maintain a complete record of all activities and accounting of all expenditures incurred therein which shall be reported to the Director at the end of every quarter. Once a year the Director shall cause the inspection and verification of the exploration activities at the expense of the permittee.

**SEC. 101. *Exclusion of the Area for Mining Purposes***—If the result of exploration reveals the presence of a commercial deposit the permittee

may apply with the Bureau of Mines for exclusion of the area from the reservation which shall be supported by:

a) Complete geologic report on the area prepared by a licensed geologist;

b) Project study prepared by a licensed mining engineer justifying the development of the area;

c) Financial report of all expenditures incurred duly certified by a certified public accountant; and

d) Boundary survey of the area by a deputy geodetic engineer complete with survey returns and map on prescribed form (BM Form No. MRD-18).

Upon receipt of the application, the Director shall conduct a verification of the findings reported in the project study and valuation of the area at the expense of the applicant.

If after verification the Director finds the application meritorious, he shall forward to the Secretary for consideration who may recommend to the President the exclusion of the area from the reservation.

In the event that the area is excluded from the reservation, the applicant shall have a preferential right to the lease thereof, subject to the terms which the President may impose in the exclusion of the area.

## CHAPTER XII

### EXPLORATION AND DRILLING BY THE BUREAU OF MINES ON REGISTERED CLAIMS

**SEC. 102. *Drilling of Areas by the Bureau of Mines***—In line with the policy of the Government to hasten the exploration and exploitation of the mineral resources of the country, the Bureau of Mines may conduct exploration and drilling of areas covered by existing and valid mining claims at its own expense upon its own initiative or upon request by the claimant: *Provided*, That whatever expenses that may be incurred therefor shall be taken from the appropriation of the Bureau of Mines.

**SEC. 103. *Priority Areas***—The Director shall determine whether the area is included in the priority list of areas and contains critical minerals included in the mineral development program of the government.

If it is ascertained that the area should be explored, a contract between the locator or holder of the mining claim/s and the Director shall be executed to include, among others, the following:

1. That the Bureau of Mines shall conduct the necessary geological studies on the area, and, if warranted, undertake drilling operations thereon. In case the drilling reveals substantial ore reserves to warrant commercial mining operation, the locator or holder of rights on the mining claim/s as well as

his successor/s or assign/s shall then take all steps required to secure a mining lease contract.

2. Upon completion of exploration activities, the Chief Accountant of the Bureau of Mines shall render a certified report on the total expenses incurred thereon. The locator or claim owner shall reimburse the Bureau of Mines the certified amount plus a surcharge not exceeding 12% *per annum* on the total expenses incurred within five (5) years from the date of the granting of the lease: *Provided*, That when there is no production, payment shall start from the date of commercial production, subject to payment of legal interest under deferred payment.

SEC. 104. *Reimbursement*—In the event that commercial deposits are proven by such exploration, the claimant shall reimburse the Bureau of Mines of all the expenses it incurred in the exploration of said mining claims.

#### CHAPTER XIII

#### LEASE OF DRILLING EQUIPMENT BY THE BUREAU OF MINES

SEC. 105. *Lease of Drilling Equipment*—The Director may lease drilling equipment of the Bureau of Mines to private parties desiring to conduct exploration and development work on the area applied for or on the leased premises.

Drilling equipment may be leased, upon application made with the Director, by any private party who has complied with the conditions of the lease and who possesses the following qualifications:

- a) In case of an individual, he should be of legal age, citizen of the Philippines and shall have the capacity to contract obligations. In case of a married woman, she shall state in her application the name and citizenship of her husband and shall obtain the written marital consent of the latter which shall be attached to the application.
- b) In case of a corporation or partnership, it shall be duly organized, registered and authorized to transact business in the Philippines, at least 60% of the capital stock of which is owned and held and shall at all times be owned and held by citizens of the Philippines.

SEC. 106. *Conditions Under Which the Lease Shall Be Granted*—Lease of drilling equipment shall be granted only under the following conditions:

- a) That the drilling equipment and accessories shall be used exclusively for mining purposes, and shall not be subject to any person, partnership or corporation; and
- b) That the lessee has satisfactorily complied with all the requirements imposed by the Director.

SEC. 107. *Preferential Right to Lease*—In case there are two or more applicants, the Director shall grant the preferential right to the first applicant who has satisfactorily complied with all the requirements.

SEC. 108. *Schedule of Rent*—For the lease of a set of drilling equipment (one drill, one pump and accessories) enumerated below, the lessee shall pay a rental fee to the Bureau of Mines as follows:

a) For X-Ray drill .....	P900/mo.
b) For Longyear Model 24 drill (conventional) or Longyear Junior Straitline drill .....	P1,200/mo.
c) For Longyear Model 34 drill (conventional) or Senior straitline drill .....	P1,800/mo.
d) For Longyear Model 24 drill wireline .....	P1,300/mo.
e) For Longyear Model 34 drill wireline .....	P1,900/mo.
f) For each additional pump ....	P250/mo.

For failure to return the leased equipment within the time specified in the contract, the lessee shall pay the daily rental plus a surcharge of 100% per day.

SEC. 109. *Duration of the Lease*—The lease shall be for a minimum period of three (3) months from the date specified in the contract of lease.

SEC. 110. *Effectivity of the Lease*—The period of the lease as well as free time mentioned herein shall begin from the date specified in the contract of lease.

SEC. 111. *Renewal of the Lease*—The lease may be renewed for periods not exceeding six (6) months at a time, at the discretion of the Director and the total period of renewal shall not exceed two (2) years: *Provided*, That when the evaluation by the Director of the drilling results and the continuing program so justify, the contract of lease may be renewed beyond two (2) years.

SEC. 112. *Bond*—To guarantee the faithful compliance with the terms and conditions of the contract of lease, and to answer for any loss and/or damage of the equipment during the term of the lease, the lessee shall file with the Bureau of Mines a bond which may be either in cash or with surety satisfactory to the Director, as follows:

P 80,000.00—For X-Ray diamond drill, pump and accessories
P160,000.00—For Longyear Model 24 drill (conventional) or for Jr. Straitline drill, pump and accessories
P180,000.00—For Model 34 wireline pump and accessories
P280,000.00—For Longyear Model 34 drill (conventional) or Sr. Straitline drill, pump and accessories

P300,000.00—For Longyear Model 34 wireline drill, pump and accessories

P 20,000.00—For each additional pump

SEC. 113. *Oversee of Operations*—The Director or his authorized field representative shall see to it that the drill and its accessories are properly used and maintained.

SEC. 114. *Other Obligations of the Lessee*—

- a) The lessee shall maintain and keep the equipment in good working condition during the term of the lease until it is returned to the lessor.
- b) The lessee shall replace and/or repair all parts rendered unusable thru breakage, loss or abnormal wear during the term of the lease. All parts missing at the time the equipment is returned shall be replaced within one month from the time such equipment are returned. For this purpose, the lessee shall make the cash deposit at rates specified as follows:

P 8,000.00—For Longyear Model 24 drill (conventional) or Longyear Jr. Straitline drill, pump and accessories

P 5,000.00—For X-Ray diamond drill, pump and accessories

P 9,000.00—For Longyear Model 24 wireline drill

P 14,000.00—For Longyear Model 34 drill, (conventional) or Sr. Straitline drill, pump and accessories

P 15,000.00—For Longyear Model 34 wireline drill, pump and accessories

P 2,000.00—For one additional pump unit

If the lessee returns the equipment in bad condition and fails to restore them into running condition or fails to replace missing spare parts or accessories within the allowable time, the lessor shall use the cash deposit and/or forfeit the bond without prior notice to the lessee to put the equipment back into running condition or replace any missing accessories. The lessee may be required to deposit additional cash to defray the above-mentioned expenses if the original cash deposit for the purpose is insufficient.

- c) Supplies and materials needed in the operation shall be furnished by the lessee, or if advanced in case of emergency by the Bureau of Mines, said materials shall be replaced in kind within one week upon demand.
- d) Transportation of the drilling equipment and all its accessories from the Bureau of Mines, and return shall be for the lessee's account.

- e) The equipment shall be used to drill only such areas specified in the contract of lease. In case the equipment is to be used during the leased period in an area not specified in the contract, the lessee shall inform the lessor in writing at least one week before the transfer and shall submit the necessary rider to the contract and shall also amend the bond to include the place of transfer.

- f) The lessee shall submit monthly to the Director all the information, data and footage obtained thru drilling which shall be treated as confidential. Such information, however, shall be made available to the public after a period of two (2) years.

- g) The lessee shall be allowed free time for mobilization to be determined by the Director of Mines or his duly authorized representative but in no case to exceed a total of twenty (20) days.

- h) It shall be the responsibility of the lessee to secure road right-of-way from private landowners including the payment of the rental and damages, if any, that may be caused on properties and other improvements while such private lands are traversed during the course of drilling operations.

- i) The lessee shall be liable for the payment of wages, compensation or damages arising from accidents of whatever kind or nature within the scope of the provisions of the Workmen's Compensation Act and/or of the Employer's Liability Act and other applicable laws.

SEC. 115. *Cash Deposit for Payments of Rentals and Services*—The lessee shall pay in advance upon the signing of the contract of lease an amount corresponding to two (2) months rental and per diems including transportation expenses of one (1) driller. The rentals and per diems for the succeeding months shall be due and payable at the beginning of the first day of every month.

SEC. 116. *Penalties*—Rentals not paid within thirty (30) days after they become due and payable shall bear a surcharge of five per cent (5%) per month until fully paid. Rentals shall continue to be charged for returned equipment not in running condition and for accessories lost or missing until repaired and replaced respectively.

SEC. 117. *Receipts from Rentals*—All rental fees for drilling equipment shall accrue to the Drilling Fund which shall be used for the purchase of supplies, materials and spare parts needed in the repair of said drilling equipment, subject to the provisions of Commonwealth Act No. 246, as amended.

SEC. 118. *Refund*.—Balance of rentals and per diems paid and/or deposits made after termination of the lease shall be applied to pending obligations of the lessee with the lessor. Excess rentals or deposits shall be refunded to the lessee.

SEC. 119. *Inspection*.—The Director or his duly authorized representative may conduct an inspection of the drilling operation at any time during the term of the lease.

#### CHAPTER XIV

### PROSPECTING AND LOCATION ON AREAS CLOSED TO MINING LOCATION

SEC. 120. *Areas Closed to Mining Location*.—No prospecting and location shall be allowed:

- a) In military, mineral and other reservations, except by the Government;
- b) In lands covered by valid and subsisting mining claims located under previous mining laws;
- c) In lands covered by mining claims or leases acquired in accordance with the provisions of this Decree; and
- d) Near or under buildings, cemeteries, bridges, highways, waterways, railroads, reservoirs, dams, or any other public or private works, unless otherwise authorized by the Secretary with the permission of the Secretary of the Department of Public Works, Transportation and Communications.

To amplify paragraph (d) above, the term "near" shall be construed to mean (a) within the right of way and/or reservation of public highway, railroad, cemetery or the source or place of storage of any public domestic water supply or (b) so close to a highway, railroad, waterway, dam, reservoir, or any other public or private structure as to endanger its stability or the public safety. The term "under" shall be construed to mean any place below the surface of the ground, or basement of any buildings, cemetery, bridges, highway, waterway, railroad, reservoir, dams or any other public or private structure and below or beneath the surfaces of areas so close to a highway, railroad, waterway, dam, reservoir or any other public or private structure as to endanger its stability or the public safety. The term "waterway" shall be construed to mean any public or private ditch, canal, conduit, pipe, aqueduct, or other artificial means constructed for the conveyance of water.

No prospecting, excavation or tunneling or construction of any kind shall be allowed on the surface, or underground, within a distance of one hundred meters from the boundaries of cemeteries, or five hundred meters from the boundaries of reservations established for public domestic water supply and from any water system and other sources of water used for drinking purposes.

#### CHAPTER XV

### CONFLICTS, ADVERSE CLAIMS, PROTESTS AND OPPOSITIONS

SEC. 121. *Filing of Adverse Claims, Protests, and Oppositions*.—No adverse claim, protest, or any other kind of opposition involving mining claims, rights, leases or permits shall be accepted for filing unless verified and accompanied by the prescribed docket fee and proof of service, either personally or by registered mail, upon the respondent.

SEC. 122. *Substantial Requirements for Adverse Claims, Protests and Oppositions*.—No adverse claim, protest or opposition involving mining claims, rights, leases or permits shall be entertained unless it contains the names and addresses of the adverse claimant, protestant, oppositor and the respondent, and their respective counsel, if any; a detailed statement of the facts relied upon; the grounds for adverse claim, protest or opposition; and an exhaustive discussion of the issues and arguments raised; together with all supporting plans, documents, data, and other documentary evidence, and affidavits of all witnesses.

No adverse claim, protest or opposition against a lease application shall be entertained after the lapse of fifteen (15) days from the date of first publication of the notice of lease application.

SEC. 123. *Due Course*.—If the Director finds that the adverse claim, protest or opposition contains a cause of action and is sufficient in form and substance, he shall give due course thereto by:

- a) Fixing a date of summary hearing;
- b) Requiring the respondent to answer within a period which shall be fixed by the Director of not less than five (5) days nor more than fifteen (15) days from receipt of the Order to Answer, and furnishing the latter a copy of the notice of summary hearing; and
- c) Ordering the publication of the case.

SEC. 124. *Answer*.—Such answer shall likewise contain a detailed statement of the facts relied upon by the respondent, an exhaustive rebuttal or refutation of the issues and arguments raised in the adverse claim, protest, or opposition, and all the affirmative defenses that he may like to raise, and may be accompanied by all supporting documentary evidence and affidavits of all witnesses.

In the answer, any counter-adverse claim, counter-protest, or counter-opposition, if any, must be incorporated, otherwise, it shall be barred; *Provided*, That it must comply with all the formal requirements of an adverse claim, protest or opposition. The adverse claimant, protestant or oppositor shall have five (5) days from receipt of the counter-adverse claim, counter-protest or counter-opposition within which to answer the same.

Failure to file an answer shall not prevent the respondent from refuting all the allegations in the adverse claim, protest or opposition, but shall, however, bar him from raising any affirmative defense or counter-adverse claim, counter-protest, or counter-opposition.

SEC. 125. *Publication*.—All litigations, conflicts and all cases whatsoever, involving the right to possession, lease, exploration and exploitation of any mining claims shall be published once in any daily newspaper of general circulation throughout the Philippines.

SEC. 126. *Other Adverse Claims*.—All claimants to any mining claims, rights or interest involved in the litigation hereinabove required to be published may file an adverse claim of any nature whatsoever with the Bureau of Mines within a period of fifteen (15) days after said publication: *Provided*, That such adverse claim shall, in form and substance, comply with Sections 121 and 122 hereof.

SEC. 127. *Contents of Publication*.—The publication of any litigation shall specify the size of the area involved, the exact location particularly the sitio, barrio, municipality and province concerned; name of the claimants, adverse claimants, protestants, and oppositors; specify the date of summary hearing; advise all persons with adverse claims to file the same in the manner prescribed in Sections 121 and 122 hereof, within a period of fifteen (15) days after publication, otherwise, they shall forever be barred; and direct all parties and adverse claimants to be ready to present their respective cases at the initial hearing.

SEC. 128. *Issues Joined*.—After the lapse of fifteen (15) days from the date of the aforesaid publication, no other adverse claim of any nature whatsoever shall be entertained and all issues shall already be considered joined on the fifteenth (15th) day after said publication.

No answer is necessary to be filed against an adverse claim filed within the 15-day period after publication.

The Director, or the Secretary, in case of appeals, may *motu proprio* look into the validity of mining claims whether raised as an issue or not.

SEC. 129. *Hearing*.—Within one week after the issues are joined, a summary hearing, which shall be conducted as much as possible in one sitting, or in a number of successive sessions which in no case shall last more than five (5) days, shall be conducted by the panel of investigators which shall submit its report and recommendation to the Director within five (5) days from the termination of the investigation.

SEC. 130. *Decision*.—The Director shall decide the case within five (5) days from the submission of

the report and recommendation of the panel of investigators.

SEC. 131. *Execution, Finality and Appeal*.—The decision of the Director shall be immediately executory and the winning party shall have the right to immediately possess, explore, develop, exploit and operate the mining area involved in the conflict, unless otherwise directed by the President or the Secretary: *Provided*, That the Director or, in case of appeal, the Secretary or the Office of the President, may require the winning party to file a bond in such amount and subject to such terms and conditions as may be deemed necessary to protect the interest of the other party or parties.

The decision of the Director shall become final after the lapse of five (5) days from the receipt thereof by the aggrieved party, unless the latter appeals to the Secretary within the same period, by filing a notice of appeal with, and paying the prescribed appeal fee to, the Bureau of Mines, and submitting to the Secretary an appeal memorandum containing a detailed statement of the facts relied upon, and an exhaustive discussion of the issues and the grounds for appeal, and accompanied by a copy of the decision appealed from and all other supporting papers, documents and other documentary evidence, and affidavits of witnesses.

Upon the effectivity of these Regulations, the Director, in his decision, shall notify the parties thereof of the aforesaid requirements in making appeals to the Secretary.

SEC. 132. *Remanded Cases*.—All cases remanded to the Bureau of Mines from the defunct Department of Agriculture and Natural Resources, Office of the President, and judicial tribunals, pursuant to Letter of Instruction No. 135, dated October 11, 1973, shall be published in accordance with Sections 125 and 126 hereof, and the filing of adverse claims, and all proceedings thereafter shall be governed by this Chapter.

SEC. 133. *Escrow*.—The provisions of Section 131 to the contrary notwithstanding, and for the protection of the parties who may be adversely affected by any order or decision of the Director in the event of a reversal thereof upon appeal, an amount to be determined by the Director, which shall not be less than two per cent (2%) for metallic minerals and not less than five per cent (5%) for non-metals of the gross sales value of minerals extracted and disposed of from the mined area in conflict, shall be deposited in escrow with the Bureau of Mines or in any bank which the Director may designate as trustee.

The amount deposited in escrow shall be released to the party who shall finally be adjudged the rightful owner of the mining claims involved in the conflict.

SEC. 134. *Operation of Conflict Area*—In the event that the mineral property in conflict is being operated or will be operated by a third party under an operating contract with the party in whose favor the decision of the Director was rendered, such third party operator may also enter into similar agreement with any or all of the other parties in the case concerning their respective claims or rights in the property subject of the case: *Provided*, That the Bureau of Mines may, subject to the prior approval of the President, undertake to operate such property directly or indirectly through a qualified service contractor.

The operator mentioned in the preceding paragraph shall start operations within three (3) months after the decision is rendered, the progress of which shall be subject to periodic verification and inspection by the duly authorized representatives of the Director at the expense of the operator.

Should the decision of the Director be reversed in a final decision on appeal, and should the prevailing party thereat decide to take over operations from the adverse or third party operator, the latter shall be paid the fair market price of all capital equipment, machinery, spare parts and supplies he has installed or used, and not removed, and the fair market value of all permanent improvements he has introduced, in the conflict area: *Provided*, That, should there be disagreement on the fair market price of capital equipment, machinery, spare parts and supplies, or the fair market value of permanent improvements and for the purpose, an appraisal committee, composed of at least five (5) members, one from each party, two other members to be appointed by the Director, and a Chairman to be named by the parties, shall be constituted.

The appraisal of the committee shall be submitted to the Director who shall issue the corresponding order implementing the appraisal.

SEC. 135. *Priority for First Registrant in Conflict of Claims*—Whenever there is any conflict between claim owners over any mining claim, whether mineral or non-mineral, the locator who first registered his valid claim with the mining registrar concerned, notwithstanding any defect in form or technicality, shall have the exclusive right to possess, exploit, explore, develop and operate such mining claim, subject to the prior locator's having complied with the following mandatory requirements:

a) That the locator is a citizen of the Philippines and qualified to locate and lease mining claims under the provisions of Commonwealth Act No. 137, as amended; in case of corporations or partnerships, at least sixty per cent (60%) of the capital stock of which is owned by Filipinos and duly registered with the Securities and Exchange Commission;

b) In case the locator is represented by an agent or attorney-in-fact, the proper power of attorney

in writing shall be registered on or before the recording of the declaration of location;

c) That the acts of location of a mining claim have been completed within thirty (30) days from the date of discovery and the corresponding declaration of location therefor registered within thirty (30) days from the completion of the said acts of location;

d) That the mining claim has a bearing and distance of a tie point which shall be a permanent and prominent object whose geographic position can be determined accurately, such as the intersection of known roads, a junction of known rivers or creeks, a known public or private structure, a corner of approved public, private or mineral land survey, a kilometer post of public road or location monument or triangulation station established by the Bureau of Lands, Bureau of Mines, Army Corps of Engineers, Bureau of Coast and Geodetic Survey or other Government Agencies;

e) That occupation fees due on the mining claim have been paid upon demand by the Collector of Internal Revenue or his duly authorized representative; and

f) That the locator has filed with the Bureau of Mines his duly accomplished application for lease and application for lease survey of the mining claim within three (3) years from the date of recording thereof.

SEC. 136. *Preferential Right of Patentable Claims*—In case of conflict between patentable mining claims located under the Act of Congress (U.S.), as amended, and a mining claim located under the Mining Act (C.A. 137), as amended, the patentable claims shall have priority provided:

a) the original locator or successor-in-interest is qualified to hold such claims;

b) the claim has been surveyed or its geographical position can be accurately determined;

c) the real estate taxes due thereon had been paid; and

d) the required annual improvements have actually been introduced for which corresponding affidavits of annual assessment work have been filed with the Office of the Mining Recorder concerned.

SEC. 137. *Grant of Mines Temporary Permit and Lease in Case of Conflict*—In the event of any conflict between claimants, the locator who has registered his valid claim as described in the preceding paragraphs hereof shall be given the right to possess, exploit, explore, develop and operate the mining claim to the exclusion of any other person.

Notwithstanding the fact that the question may be brought to the jurisdiction of the courts, the Director of Mines shall issue a mines temporary permit to the original locator with the right to

possess, exploit, explore, develop and operate such mining claim subject to proper application therefor and upon filing of a surety bond double the amount required in cases where there is no conflict.

A contract of lease subject to the standard terms and conditions shall be granted to the party in whose favor a final decision is rendered by the authorities concerned.

#### CHAPTER XVI

### FISCAL PROVISIONS AND SCHEDULE OF PAYMENTS AND CHARGES FOR WORK WHICH THE BUREAU OF MINES MAY PERFORM

SEC. 138. *Occupation Fees, Rentals, Royalties and Taxes.*—The claim owner shall pay the occupation fees, rentals, royalties and taxes on his mining claims and on the minerals extracted therefrom as provided for in the National Internal Revenue Code, as amended: *Provided, That* the failure to pay all taxes and fees due the Government for two (2) consecutive years shall cause the cancellation of the mining claim and shall reopen the same for relocation by other parties.

Proof of payment of the occupation fees shall be submitted to the Mines Regional Officer concerned. Holders of mining leases, quarry permits and licenses shall submit to the Director evidence that the rentals and taxes on the leased premises, and the royalties due the Government arising out of the operation thereof had been paid.

SEC. 139. *Work Authorized.*—The Bureau of Mines may perform or accomplish work or service for government or semi-government offices, agencies, instrumentalities or private parties, and collect payment or charge therefor in accordance with the Schedule hereinafter prescribed, which work or service shall include, but shall not be limited to the following: to execute surveys of mining claims, petroleum and other mineral lands for location, patent, permit, concession, lease or development purposes; to docket and conduct office and field investigations of conflicting mining locations; to perform geological, geophysical, and geochemical surveys, and make mineralographic, petrologic, petrographic, and paleontologic examinations; to verify and investigate petroleum discoveries and locations, mining prospects, exploration and development work; to perform fire and wet assays, and smelting and metallurgical tests of ores; to sample ore piles for shipment; to check and evaluate ore reserves for the Securities and Exchange Commission, for other Government entities and/or private parties who may request or order for such work; to perform drafting or projection work; to issue blue or white prints of survey plan or sketch plan; and to do such other work and/or service to interested

parties as may be requested and which is within the scope of the functions of the Bureau of Mines.

SEC. 140. *Mines Survey and Investigation Fund.*—All payments and charges for work performed or to be performed by the Bureau of Mines shall accrue to the "Mines Survey and Investigation Fund" of the Bureau of Mines, against which shall be charged expenses in connection with any of the work mentioned in Section 139 hereof, which expenses shall include salaries and wages, travel expenses, supplies and materials, sundry expenses, and purchase of furniture and equipment: *Provided, That*, any balance in the payment or charge left after the completion of the work requested, may be used by the Bureau of Mines in the maintenance of the force and equipment necessary to render the work or services authorized in this Order: *Provided, further, That*, if the work is discontinued due to some reasonable cause, then whatever balance remaining, after deducting the expenses already incurred by the Bureau of Mines in connection with the work, shall be refunded by the Director to the applicant upon the latter's request.

SEC. 141. *Request for Work.*—Request for survey, investigation, analysis or examination of mineral or rock sample or any other work performed by the Bureau of Mines shall be submitted in the form prescribed for the purpose: *Provided, That* if the prescribed form is not available, the request may be made in letter form. The request shall contain, among others, the name and address of the person or entity requesting the work, and a full and complete information of the work desired.

SEC. 142. *Time of Making Payment.*—Payment, based on schedule of payments and charges herein prescribed, unless otherwise stated, shall first be made by the applicant before any work requested shall be performed or executed.

SEC. 143. *Services to Local Government Offices, Instrumentalities or Agencies.*—For services or work requested by national or local government offices, instrumentalities or agencies, the schedule of payments and charges herein prescribed shall apply.

SEC. 144. *Reservation to Reject Any Job Request.*—The Bureau of Mines may reject any job request when the nature of the work is such as to be impracticable, or when the work on hand is of such volume as to prevent the request from being complied with within a reasonable time, or when performance of the requested work will seriously impair the other work of the Bureau or endanger the lives or health of the personnel of the Bureau.

SEC. 145. *Use of Reports on Work Done.*—Reports of said investigation, examination, or analysis shall be treated as confidential. However, copies thereof may be furnished other persons upon written request and approval of the person for whom the report was made: *Provided, That* any information



and/or data contained in said reports shall be available for official use of the Bureau of Mines in connection with its studies of minerals, mines, and mineral lands, or in connection with the development of the mining industry of the Philippines: *Provided, further*, That such reports may be released to the public after the lapse of two (2) years from their submission unless the Secretary and/or the Director directs otherwise.

SEC. 146. *Work Not Covered by the Schedule*—For work or service not covered by this schedule the payment or charge therefor shall be determined by the Director.

SEC. 147. *Charges for Field Work, in General*—Charges for the following field work shall be by man days:

- (a) For field verification of approved surveys for patent, lease, or quarry purposes, investigation of conflicts, renewal or extension of mining lease, permit or license, verification of tax-free equipment, verification of ore stockpile and umpiring of ore shipments, inspection of mechanical and electrical installation, verification of exploration work done by permittees within government reservations, verification of explosives magazines and blasting schemes, and conducting ventilation, dust and gas surveys, ₱150 per man per day, provided the minimum charge is ₱300.00.
- (b) For valuation of mining claims or geological investigation and geological verification of mining properties, ₱250 per man per day, provided the minimum charge is ₱1,000.00.
- (c) Counting of the number of days shall start from the day the fieldman leaves his official station and ends upon his return.
- (d) In addition to the charges under paragraphs (a) and (b) above, the applicant or interested party shall pay for transportation of bureau personnel from official station to the area and return, as well as the expenses for freight, labor, materials, and analyses of samples.

SEC. 148. *Survey for Patent or Lease of Mining Claims*—For patent or lease survey of a lode mining claim of nine (9) hectares or less with four corners or less, ₱800.00; *Provided*, That in case of a placer claim of eight (8) hectares or less, ₱700.00, plus ₱20.00 per hectare or fraction thereof in excess of eight (8) hectares: *Provided, further*, That in the case of more than five contiguous mining claims, a reduction of 15% may be allowed.

SEC. 149. *Survey for Mining Claim Recorded under the Decree*—For the survey of mining claims registered under the Decree, ₱5,000.00 for each claim, plus ₱50.00 per corner in excess of four:

*Provided*, That, in case of more than five (5) contiguous mining claims, a reduction of 15% may be allowed.

SEC. 150. *Survey of Areas for Coal Lease or Coal Revocable Permit*—For the survey of an area for coal lease application, ₱1,500.00 for the first 50 hectares plus ₱10.00 per hectare or fraction thereof in excess of 50 hectares. For the survey of an area for coal revocable permit, ₱500.00.

SEC. 151. *Tie Line Survey*—In all mineral land surveys, ₱100.00 per kilometer in excess of five (5) kilometers of the tie line traverse shall be charged.

SEC. 152. *Topographic Surveys*—For topographic surveys to be executed simultaneously with the survey for patent, lease or permit, 25% of the corresponding rates prescribed above shall be charged: *Provided*, That if the topographic survey is to be executed after the patent, lease or permit survey, 50% of the corresponding prescribed rates.

SEC. 153. *Transportation Expenses of Survey Party*—Transportation expenses of the survey team from its official station to the area and return shall be paid for by the interested party in cases of surveys under Sections 148, 149, 150, 151 and 152.

SEC. 154. *Verification Charges on Mineral Land Surveys*—For the verification of the original field notes, computations, plans, technical descriptions and reports on mineral land surveys executed by duly deputized geodetic engineers, the following charges shall be paid by the applicant or interested party:

- (a) For patent, lease, special work order, boundary or revocable permit, ₱40.00 per tracing cloth plan plus ₱1.00 per prescribed original computation sheet of survey returns;
- (b) For resubmitted (correction) and/or additional survey returns with field notes and/or computations, ₱1.00 per new computation sheet prescribed, provided the minimum charge is ₱20.00;
- (c) For technical description of one claim for temporary permit purposes ..... ₱50.00;
- (d) For computerized survey returns, a reduction of 50% on computation sheet of the above charges shall apply; and
- (e) For underground, relocation or miscellaneous survey, the charges above shall apply.

SEC. 155. *Survey for Petroleum Concession*—

- (a) For the survey of on-shore and off-shore petroleum concession block, one peso (₱1.00) per hectare or fraction thereof shall be charged but in no case shall the



amount be less than P5,000.00: *Provided*, That in case of adjoining blocks with common boundaries belonging to the same applicant or concessionaire, a reduction of 25% of the above charge shall be allowed for the additional block. In case of a block having more than 4 corners, P2,000 per additional corner shall be charged. Transportation expenses of the survey team from its official station to the area and return shall be paid for by the interested party.

- (b) *Survey of petroleum discovery and location*.—For the survey of discovery and location of petroleum seepage or gas emanation, P500.00 per discovery or location shall be charged: *Provided*, That if the tie line is more than five kilometers there shall be an additional charge of P50.00 per kilometer for every kilometer in excess of five kilometers. Transportation expenses of the survey team from its official station to the area and return shall be paid for by the interested party.

SEC. 156. *Boundary Survey*.—For the boundary survey, the charges prescribed in Section 148, Section 149, Section 23 and Section 153 shall apply.

SEC. 157. (a) *Survey of Sand and Gravel Areas*.—For the survey of the area covered by one (1) application for Sand and Gravel Permit, P300.00 shall be charged.

(b) *Survey of Area covered by Quarry Resources*.—For the survey of the area covered by one (1) application for quarry permit/license, P37.00 per hectare or fraction thereof shall be charged plus P50.00 per corner in excess of four corners: *Provided*, That in no case shall the charges be less than P700.00.

(c) In addition to the above charges, the applicant or interested party shall pay for the transportation of the survey team from their official station to the area and return, and freight and materials that may be needed in connection therewith.

SEC. 158. *Additional Corner*.—In all mineral land surveys, unless otherwise provided, P15.00 per corner in excess of 4 corners shall be charged.

SEC. 159. *Order of Survey Applications*.—For the processing of order of survey application, the following shall be charged:

	RM Char- ges	Addi- tional Per PD 200
(a) For patent survey application, per claim .....	P25.00	P2.00
(b) (1) For lease survey covered by one application, first claim .....	20.00	2.00
(2) Per additional claim .....	10.00	

(c) For coal revocable permit, quarry license/permit or petroleum discovery survey .....	20.00	2.00
(d) For coal lease survey ....	30.00	2.00
(e) For petroleum concession survey .....	50.00	2.00
(f) (1) For projection purposes not more than 1,000 hectares .....	25.00	2.00
(2) For every additional 500 hectares or less .....	5.00	2.00

SEC. 160. *Verification of Survey Returns*.—For the verification of the original field notes, computations, plans, technical descriptions and reports on mineral land, quarry resources or petroleum surveys executed by duly authorized geodetic engineers, the following shall be charged:

- (a) For surveys of patent, lease, special work order, boundary, revocable permit, quarry permit license, or petroleum discovery, P40.00 per tracing cloth plan, plus P1.00 per prescribed computation sheet of survey returns.
- (b) For petroleum concession survey, P1,000.00 per plan, plus P1.00 per prescribed computation sheet of survey returns.
- (c) For resubmitted (correction) and/or additional survey returns with field notes and/or computations, P1.00 per new computation sheet prescribed, provided the minimum charge is P20.00.
- (d) For technical description of retained portion of petroleum concession P100.00.
- (e) For verification of the technical description of one claim for temporary permit purposes or one quarry permit or license application P50.00.
- (f) For computerized survey returns, a deduction of 50% on computation sheet of the above charges shall apply.
- (g) For underground, relocation or miscellaneous survey, the charges above shall apply.

SEC. 161. *Docketing Charges*.—

	RM Char- ges	Addi- tional Per PD 200
(a) For filing a protest, adverse claim, or any other opposition .....	P50.00	P2.00
(b) For filing a petition or complaint falling under the category of mines special cases .....	50.00	2.00
(c) For filing a counter-adverse claim, counter-protest or counter-opposition .....	50.00	2.00

- (d) For filing a petition or request for renewal or extension of lease contracts, mines temporary permits .. 50.00 2.00
- (e) For filing a petition or request for reconsideration or reinstatement of rejected or cancelled lease application or lease contract .. 50.00 2.00
- (f) For filing an application under Sections 100 or 101 of the Decree ..... 50.00 2.00

SEC. 162. *Processing Charges*—

- (a) For processing original or amended application for mining patent, mining lease, coal lease ..... 20.00 2.00
- (b) For processing application for extension of petroleum exploration concession ..... 250.00 2.00
- (c) For processing mines temporary permits, coal revocable permit applications and special permits for test and experimental purposes ..... 20.00 2.00
- (d) For processing applications in the Siruma Clay Reservation and other mineral reservation, unless otherwise provided by law ..... 20.00 2.00
- (e) For processing applications for listing in the stock market referred by the Securities & Exchange Commission ..... 500.00 2.00
- (f) For processing applications under Sections 100 or 101 of the Decree per claim 20.00 2.00

SEC. 163. *Preparation of Appeal Records*—

- For the preparation and forwarding of appeal record ..... 50.00 2.00

SEC. 164. *Geological Investigation and Verification*—

- (a) For geological investigation or verification, the fees charged under Sec. 147 (b) hereof shall be charged.
- (b) For geochemical surveys, P250.00 per man per day shall be charged: *Provided*, That the minimum charge is P3,000.00.
- (c) For ground magnetometric surveys, radio-metric surveys, resistivity surveys, electromagnetic survey or self-potential or seismic surveys for shallow penetration,

P250.00 per man per day shall be charged: *Provided*, That the minimum charge is P5,000.00.

- (d) For ground seismic surveys for deep penetration, or for induced polarization surveys, P1,200.00 per day shall be charged: *Provided*, That the minimum charge is P12,000.00.
- (e) In addition to the above charges under paragraphs b, c and d, the applicant shall pay the charges under Section 147(d).
- (f) For shipborne magnetometric and marine seismic surveys and/or sea-bed sampling, P1,000.00 per day shall be charged: *Provided*, That the minimum charged is P15,000.00: *Provided, further*, That in addition to the charges under Section 10(d) hereof, all other expenses such as cost of equipment installation, cost of ship charter, mobilization, and operation shall be paid for by the applicant.
- (g) A fee of P100.00 per stereo-model (Stereo-model means a pair of adjacent aerial photographs of same flight line (zinc: 9" x 9") used for geologic interpretation or topographic map preparation. The net area interpreted from one stereo-model is about 30 per cent of the area of one photograph.) shall be charged: *Provided*, That the minimum charge is P200.00 for geological interpretation of aerial photographs, which includes each of the following:
- (1) Delineation of rock types and/or rock formation, and determination of geological structures and geomorphologic features.
  - (2) Locating sources of construction materials, and probable sites for highway, dam and/or reservoir. In addition to the above charges, the cost of materials and supplies used in the interpretation shall be paid for by the applicant.
- (h) For preparation of topographic map from aerial photographs without tilting or parallax corrections, P100.00 per stereo-model shall be charged: *Provided*, That the minimum charge is P200.00. In addition to the above charges, the cost of materials and supplies used in the preparation shall be paid for by the applicant.

SEC. 165. *Mineralogical, Petrological and Other Like Services*—

- (a) For preparation and/or determination of ores, rocks and minerals and other related services:
- (1) Megascopic and/or qualitative identification of rocks, ores, minerals and elements ..... P2.00

(2) Preparation of thin sections or polished section of rocks, ores, minerals and grains (including grain mounting), per section .....	20.00	b) For subsequent element in the same sample .....	4.00
(3) Petrographic or mineragraphic description and identification of rocks, minerals, including mounted grains, per section .....	20.00	(d) For analysis of water samples for trace elements by atomic absorption method: Per element, per sample .....	10.00
(4) Quantitative, petrographic or mineragraphic analysis, per mineral .....	15.00	(e) For physical tests: (1) Water of plasticity test per sample .....	5.00
(5) X-ray diffraction analysis, per sample .....	50.00	(2) PCE (pyrometric cone equivalent) .....	10.00
(6) Differential thermal analysis, per sample .....	50.00	(3) Linear shrinkage test (temp. gradient furnace), per sample .....	15.00
(7) Cutting and polishing of slabs of soft rocks like marble, limestone, serpentine rock or other rocks softer than marble, per sq. decimeter or fraction thereof of surface .....	20.00	(4) Water absorption, apparent porosity, apparent specific gravity, and bulk density test, per sample .....	25.00
All other rocks harder than marble, per square decimeter or fraction thereof of surface .....	100.00	(5) pH determination of clays (By use of pH hydron paper) per sample .....	5.00
(8) Mineral separation (two products only) (a) Magnetic separation by hand magnet (200 grams or less) .....	3.00	(6) Complete physical tests from (1) to (5), per sample .....	50.00
(b) Magnetic separation by isodynamic method (100 grams or less) .....	5.00	(7) Swelling test: (a) Unactivated, per sample .....	5.00
For each additional product .....	2.50	(b) Activated (treatment with soda ash) per sample ....	10.00
(c) Heavy media separation (200 grams or less) .....	20.00	(8) Viscosity test of clay slips (By Brookfield Viscometer) per sample .....	10.00
(9) Crushing and grinding to minus 80 mesh (200 grams or less, per sample) .....	5.00	(9) Oil-bleaching test: (a) Unactivated, per sample .....	10.00
(10) Specific gravity determinations (per sample) True .....	10.00	(b) Activated (treatment by acid or by heat) per sample .....	20.00
Apparent .....	7.00	(10) Sieve analysis, maximum of 6 sizes, per sample (500 grams or less) .....	10.00
(b) For geochemical laboratory services (1) Preparation of samples: (a) Drying and sieving (80) mesh of soil and stream sediment samples, per sample .....	3.00	(11) Sieve analysis, maximum of 6 sizes, with % moisture content, per sample (500 grams or less) .....	15.00
(b) Drying, grinding and splitting of rock samples, per sample .....	5.00	SEC. 166. <i>Fire or Wet Assay of Rocks, Ores, Sands, or Concentrates, Bullions, Alloys Including Liquids or Solutions—</i> (a) <i>Fire assays</i> :—Ore samples submitted for fire assays should weigh at least 250 grams in case of gold, silver or lead assays; and at least one kilogram in case of platinum assay. Bullion drillings in excess of three (3) grams shall be returned to the owner upon request.	
(c) For Geochemical analysis: (1) By colormetric methods: a) For the first element, per sample .....	4.00	(1) Gold or silver in ores, sands or concentrates, per sample .....	P20.00
b) For subsequent element in the same sample .....	3.00	(2) Gold and silver in ores sands or concentrates, per sample .....	30.00
(2) Atomic absorption analysis: a) For the first element, per sample .....	5.00	(3) Platinum in ores or alloys, per sample .....	60.00
		(4) Fineness determination for gold; in bullions or alloys, per sample .....	35.00
		(5) Fineness determination for silver, in bullions or alloys, per sample .....	25.00

(6) Fineness determination for gold and silver per sample .....	50.00	(3) Carbonate .....	5.00
(b) Wet assays: (Per element)		(4) Total suspended solids .....	10.00
(1) Aluminum .....	25.00	(5) Total dissolved solids .....	10.00
(2) Antimony .....	20.00	(6) Total acidity .....	5.00
(3) Arsenic .....	20.00	(7) Total alkalinity .....	5.00
(4) Barium .....	20.00	(8) Total hardness .....	20.00
(5) Bismuth .....	20.00	(b) Cations and/or anions of the common elements, except the alkalis per element.....	15.00
(6) Calcium .....	15.00	(c) Alkalis	
(7) Carbon .....	25.00	(1) Sodium .....	15.00
(8) Chlorine (As Cl) .....	20.00	(2) Potassium .....	15.00
(9) Chromium .....	30.00	(d) Coal and Charcoal: (Submit a minimum of one-half (½) kilo sample.)	
(10) Cobalt .....	25.00	(1) Proximate analysis (FC, VCM, Ash and moisture) .....	30.00
(11) Copper .....	20.00	(2) Ultimate analysis (Carbon, hydrogen, oxygen, nitrogen, sulfur, ash) .....	100.00
(12) Germanium .....	25.00	(3) Sulfur in coal .....	20.00
(13) Iron (Total) .....	15.00	(4) Heating value of coal .....	30.00
(14) Iron (Metallic, Fe <sup>c</sup> ) .....	20.00	(5) Specific gravity .....	10.00
(15) Iron (Ferrous, Fe++) .....	20.00	(6) Ash content .....	10.00
(16) Iron (Ferric, Fe+++,+) .....	45.00	(7) Coal ash analysis (The charge per element to be determined in ash is the same as the charge in b).	
(17) Lead .....	20.00	(e) Petroleum (Crude): (Submit a minimum of one (1) gallon.)	
(18) Magnesium .....	20.00	(1) Viscosity .....	10.00
(19) Manganese .....	20.00	(2) Flash point .....	10.00
(20) Mercury .....	20.00	(3) Fractional distillation (atmospheric) .....	25.00
(21) Molybdenum .....	25.00	(4) API gravity .....	5.00
(22) Nickel .....	20.00	(5) Ash .....	10.00
(23) Nitrogen .....	25.00	(6) Water and sediments .....	25.00
(24) Phosphorous .....	20.00	(f) Fuels and lubricants: (Submit a minimum of one gallon)	
(25) Potassium .....	25.00	(1) Viscosity .....	10.00
(26) Silicon .....	20.00	(2) Flash point .....	10.00
(27) Sodium .....	25.00	(3) Fire point .....	10.00
(28) Sulfur .....	20.00	(4) Fractional distillation (atmospheric) .....	25.00
(29) Tin .....	20.00	(5) API gravity .....	5.00
(30) Titanium .....	25.00	(6) Ash .....	10.00
(31) Vanadium .....	25.00	(7) Water and sediments .....	25.00
(32) Zinc .....	25.00	(8) Color .....	5.00
(c) Trace analysis of common elements: Per element .....	30.00	(9) Sulfur (oxygen-bomb) .....	20.00
(d) Specific gravity:		(10) Acid number .....	10.00
(1) True .....	10.00	(11) Heating value .....	30.00
(2) Apparent .....	7.00	(12) Carbon residue .....	15.00
Bulk density .....	7.00	(g) Gaseous fuels:	
(e) Moisture, even dried (105°C) .....	7.00	(1) Gas specific gravity .....	15.00
(f) Moisture, as received .....	15.00	(2) Carbon monoxide .....	30.00
(g) Combined H <sub>2</sub> O .....	10.00	(3) Carbon dioxide .....	25.00
(h) Loss on ignition .....	7.00	(4) Illuminants .....	25.00
(Remarks: For wet assay, submit at least one (1) kilo sample.		(5) Oxygen .....	25.00
One sample, more than four (4) constituents to be determined, less 5% on the total charges.		(6) Nitrogen .....	50.00
One constituent to be determined on more than four (4) samples less 10% on the total charges.)		(h) Metallurgical tests on ores, minerals, coal, mill or industrial plant by-products, etc.:	
SEC. 167. Analysis of Water, Lubricants And Fuels (Solid, Liquid, Gaseous)			
(a) Water analysis: (Submit a minimum of one gallon).			
(1) pH .....	5.00		
(2) Bicarbonate .....	5.00		

(For the following auxiliary ore dressing processes, a maximum of five (5) kilos may be accepted.)

(1) Crushing: Per kilo or fraction of one kilo .....	1.50
(2) Grinding: Per kilo or fraction of one kilo .....	3.00
(3) Screenings dry, coarse sample (max. 5 kilos).	
(a) One to five fractions, one kilo sample, per fraction .....	2.00
(b) For each fraction of same sample .....	1.50
(4) Dry, fine sample (max. 1 kilo)	
(a) One to five fractions, one kilo sample, per fraction .....	2.50
(b) For each additional fraction of same sample, per fraction .....	2.00
(5) Wet, coarse or fine sample (max. 5 kilos) including filtering and drying.	
(a) One to five fractions, one kilo sample, per fraction .....	3.50
(b) For each additional fraction of same sample .....	3.00
(6) Sedimentation or elutriation: including filtering and drying:	
(a) One to 5 fractions, per fraction .....	5.00
(b) For each additional fraction of same sample .....	4.00
(7) Grindability	
(a) Coal .....	50.00
(b) Ores .....	100.00
(8) Air-classification:	
(a) One to three sizes .....	20.00
(b) For each additional size .....	7.00
(9) Heavy media separation:	
(a) One to five specific gravities of media, per media gravity .....	30.00
(b) For each additional media gravity .....	20.00
(10) Jigging:	
(a) One to five specific gravities of media per media gravity .....	30.00
(b) For each additional test .....	20.00
(11) Tabling:	
(a) One to five tests, per test ....	30.00
(b) For each additional test .....	20.00
(12) Flotation:	
(a) Bulk flotation:	
One to five tests, per test .....	30.00
For each additional test .....	20.00

(b) Differential flotation:	
One to five tests, per test .....	45.00
For each additional test .....	30.00
(13) Calcining:	
(a) One to five tests, per test .....	30.00
(b) For each additional test .....	20.00
(14) Roasting:	
(a) One to five tests, per test .....	30.00
(b) For each additional test .....	20.00
(15) Sintering:	
(a) One to five tests per test .....	40.00
(b) For each additional test .....	25.00
(16) Pelletizing:	
(a) One to five tests, per test .....	20.00
(b) For each additional test .....	15.00
(17) Briquetting:	
(a) One to five tests, per test .....	20.00
(b) For each additional test .....	15.00
(18) Sponging:	
(a) One to five tests, per test .....	35.00
(b) For each additional test .....	25.00*
(19) Smelting:	
(a) One to five tests, per test .....	100.00
(b) For each additional test .....	80.00
(20) Amalgamation:	
(a) One to five tests, per test ....	75.00
(b) For each additional test .....	50.00
(21) Cyanidation:	
(a) One to five tests, per test .....	100.00
(b) For each additional test .....	70.00
(22) Magnetic separation:	
(a) Dry:	
One to five tests, per test .....	15.00
For each additional test .....	10.00
(b) Wet:	
One to five tests, per test ....	20.00
For each additional test .....	15.00
(23) Volumetric compression test:	
(a) One to five tests, per test .....	15.00
(b) For each additional test .....	10.00
(24) Leaching:	
(a) Percolation leaching, per test, per screen fraction .....	70.00
(b) Acid curing or agitation leaching, per test .....	50.00
(c) Leaching-precipitation flotation, per test .....	80.00
(d) Pressure leaching, per test .....	100.00

(Note: Tests include determination of particle size, per cent extraction, lixiviant consumption, lixiviant strength, leaching time, leach temperature and pressure.)

## (25) Recovery of chrysotile asbestos:

(Note: A minimum of five (5) kilos sample of asbestos to be split and reduced to about 1-kilo for recovery tests.)

- (a) One to five samples, per sample ..... 40.00
- (b) For each additional sample in excess of five but not more than fifteen samples, per sample ..... 30.00
- (c) For each additional sample more than fifteen samples, per sample ..... 20.00

## (26) Tests on coal, coke, charcoal and other fuels:

- (a) Heavy media separation and washability of coal
  - (1) One to five gravities of media, per gravity ..... 30.00
  - (2) For each additional media gravity ..... 20.00

## (b) Low and medium temperature carbonization (below 700 deg. c.)

- (1) One to five tests, per test ..... 40.00
- (2) For each additional test ..... 30.00

## (c) High temperature carbonization (above 700 deg. c.)

- (1) One to five tests, per test ..... 50.00
- (2) For each additional test ..... 40.00

## (d) Drying (Determination of drying rates)

- (1) One to five tests, per test ..... 30.00
- (2) For each additional test ..... 20.00

## (e) Fractional distillation:

- (1) One to three components, per component ..... 25.00
- (2) For each additional component ..... 15.00

## (f) Ammonia analysis from solution, per sample ..... 20.00

## (g) Analysis of acetic acid, acetone and alcohol, per sample ..... 30.00

## (h) Bitumen, humic acid, ligneous and cellulose substance and moisture (Xylol method) determination, per sample ..... 50.00

## (i) Drop and shatter test for coke, per test ..... 50.00

For each additional test ..... 40.00

## (j) Tumbler test for coke, per test ..... 30.00

For each additional test ..... 20.00

## (k) Sieve analysis of coal and coke:

- 1. One to five sieves, 7-kilo sample per sieve ..... 5.00
- 2. For each additional sieve ..... 3.00

## (l) Bulk density determination for coke ..... 10.00

## (m) Porosity, volume of cell spaces of lump coke ..... 15.00

## (n) Drop &amp; shatter test for coal ..... 40.00

## (o) Tumbler test for coal ..... 25.00

## (p) Free swelling index of coal ..... 10.00

## (q) Coal ashing test ..... 10.00

## (Remarks:

1. The above charges are exclusive of the appropriate chemical, petrographic, mineragraphic, and microscopic analysis.

2. For a combination of batch processes, charges will be estimated according to the type of processes involved, number of tests to be conducted and cost of chemical analysis. Sample to be submitted should weigh not less than ten (10) kilos.

3. Samples submitted for extensive detailed tests and/or pilot plant tests should weigh not less than 100 kilos. Charges will be estimated for each case and job performed on contractual bases.)

SEC. 168. *Mine Examination and Valuation*—

BM	Addi-
Charges	tional Per
	PD 200

- (a) For mine examination, valuation, see charges under Sec. 130 hereof.

SEC. 169. *For Processing Applications*—

- |  |        |       |
|--|--------|-------|
| (a) Purchaser's license (explosives) .....               | P40.00 | P2.00 |
| (b) Amendment to purchaser's license (explosives) ..     | 30.00  | 2.00  |
| (c) Purchase and transfer of explosive. ....             | 10.00  | 2.00  |
| (d) Mine, quarry and mill foreman permits .....          | 20.00  | 2.00  |
| (e) Blaster foreman's license .....                      | 20.00  | 2.00  |
| (f) Temporary Safety Engineer's Permit .....             | 10.00  | 2.00  |
| (g) Renewal of Temporary Safety Engineer's Permit .....  | 10.00  | 2.00  |
| (h) Temporary Safety Inspector's permit.....             | 5.00   | 2.00  |
| (i) Renewal of Temporary Safety Inspector's Permit ..... | 5.00   | 2.00  |

SEC. 170. *For Mechanical Electrical, And Explosives Magazine Inspections*—

See charges under Sec. 130 hereof.

SEC. 171. *Relocation of Approved Survey*—For the relocation of approved survey, the charges prescribed in this Chapter XVI pertinent thereto shall apply.

SEC. 172. *Land Gravity Survey*—The amount of P250.00 per man per day of fieldwork shall be charged: *Provided*, That the minimum charge shall be P10,000.00.

## 1. Survey will consist of:

- (a) Determination of gravity values on stations established by the requesting party.

(b) Preparation of simple Bouger map.  
(Note: Private party should provide the following:

- (1) Latitude and elevation of gravity stations.
- (2) Accurate locations of gravity stations on map of appropriate scale.
- (3) Transportation of gravity team from its official station to the field area and return and transportation facilities within the field area.
- (4) All labor requirement by the gravity party.)

	BM Charges	Addi- tional Per PD 200
2. Application fee for geothermal energy permit .....	P500.00	P5.00
3. Registration fee for declaration of a petroleum discovery and location .....	10.00	2.00
4. Age determination of sedimentary rocks, polished or rolled .....	30.00	
5. Application fee for petroleum exploration concession .....	1000.00	10.00
6. Application fee for petroleum exploitation concession .....	2000.00	20.00
7. Application fee for a refining concession .....	2000.00	20.00
8. Application fee for a pipe line concession .....	2000.00	20.00
9. Application fee for non-exclusive exploration permit .....	100.00	2.00
10. Application fee for geothermal energy lease .....	1000.00	10.00
11. Filing fee for adverse claim under Sec. 12 of Republic Act No. 5092 .....	200.00	2.00
12. Appeal fee for adverse claim under Sec. 35 of Republic Act No. 5092 & MAO-V-30 .....	200.00	5.00
13. Docket fee for petition for hearing .....	30.00	2.00
14. Preparation and forwarding of appeal to Department .....	20.00	2.00

#### SEC. 173. Copying of Documents—

- (a) Xerox copying  
For each page of legal size paper .....
- (b) Microprint copy  
For each page of the original document of a standard size paper, 8-1/2" x 11-1/2" .....

#### SEC. 174. Certification of Documents—

- (a) For each certificate of correctness ....
- (b) Letter certification for each page of legal size paper or fraction thereof, typed .....

## CHAPTER XVII

### TRANSITORY PROVISIONS

SEC. 175. *Prospective Effect of Regulations*—The provisions of these Regulations shall not have retroactive effect if they prejudice or impair rights acquired or already vested under mining laws existing prior to the effectivity of the Decree: *Provided*, That provisions which are procedural in nature shall prevail.

Acts and contracts made or executed with a condition or period under previous mining laws, if valid in accordance therewith, shall continue as such, but the revocation or modification of these acts and contracts after the effectivity of the Decree shall be subject to the provisions hereof.

SEC. 176. *Rights and Privileges Under the Decree*—Holders of valid and subsisting locations and other rights under other laws, irrespective of the areas covered, may avail of the rights and privileges granted under the Decree: *Provided*, That they file on or before May 17, 1976, an application therefor with the Bureau of Mines, Manila, on BM Form Nos. MRD-26 and 27 hereto attached as Appendices "V" and "W", and made part of these Regulations.

SEC. 177. *Applications*—No application to avail of the rights and privileges under the Decree shall be accepted unless accompanied by the prescribed filing fee. No application shall be entertained unless accompanied by a duplicate or certified copies of declarations of locations, patents, permits, leases, and such other papers and documents affecting title or rights thereto or interest therein.

SEC. 178. *Prerequisites to the Grant of the Rights and Privileges*—Mining grants, patents, locations, leases and permits valid and subsisting at the time of the approval of the Decree and at the filing of the application may be entitled to the rights and privileges granted by the Decree if:

- (a) The applicant is qualified to hold mining rights under the Decree;
- (b) All the fees and taxes due thereon have been paid;
- (c) In the case of Spanish Royal Grants and unpatented mining claims registered under the Act of U.S. Congress of July 1, 1902, an application for an order to survey had been filed on or before May 16, 1975;
- (d) There is no failure to comply with the fundamental requirements of the respective grants;
- (e) The applicant, upon approval of his application, has complied with the applicable provisions of the Decree and the pertinent rules and regulations.

SEC. 179. *Disposition of Application*—Applications may be denied or approved by the Director in an order issued by him. The order approving the application shall be registered with the Mines Regional Recorder of the region where the mining grant, patent, location, lease, or permit is located. Thereafter, all documents affecting or involving said grant, patent, location, lease or permit shall be registered with the Mines Regional Recorder concerned.

SEC. 180. *Failure to file Application to Avail of Rights and Privileges Under the Decree*—Mining grants, patents, locations, leases, permits, and other mining rights subsisting at the time of the approval of the Decree for which no corresponding application under Sections 100 and 101 of the Decree has been filed within the period provided in Section 176 hereof shall be considered to have lapsed, and the area covered thereby shall be open to relocation, as if no grant, patent, location, lease, permit and other mining rights have been made or granted thereon.

SEC. 181. *Right of Applicant to Areas Abandoned*—The lessee under the Decree has the preferential right to apply for the inclusion of any and

all areas within the perimeter of his claim which are covered by abandoned or expired right granted under other mining laws.

#### FINAL PROVISIONS

SEC. 182. *Separability Clause*—If any clause, sentence, provision or section of these Regulations shall be held invalid or unconstitutional, the remaining parts of these Regulations shall not be affected thereby.

SEC. 183. *Repealing Clause*—All orders, rules and regulations inconsistent with or contrary to the provisions of these Regulations are hereby repealed or modified accordingly.

SEC. 184. *Effectivity*—These Regulations shall take effect upon promulgation.

Approved, May 17, 1975.

(Sgd.) JOSE J. LEIDO, JR.  
Secretary of Natural Resources

Recommended by:

(Sgd.) JUANITO C. FERNANDEZ  
Director of Mines



## MGA PAHAYAG NA LEGAL AT OPISYAL

(LEGAL AND OFFICIAL NOTICES)

### Hukumang Unang Dulugan

(COURT OF FIRST INSTANCE)

#### [FIRST PUBLICATION]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF CAPIZ  
ELEVENTH JUDICIAL DISTRICT  
BRANCH IV

CADASTRAL CASE No. 10 GLRO CADASTRAL RECORD  
No. 384 Lots Nos. 3810 and 3967, both of Dao  
Cadastre.—Reconstitution Case No. 1382

ANA VDA. DE DENUSTA, petitioner

#### NOTICE OF HEARING

To: Atty. Alfredo B. Gaticales, R. Mapa St.,  
Manduriao, Iloilo City; Leon Catalan, Ambro-  
cio de Felix, Juan Homsusan, Benigno de la  
Cruz, Faustino Esmeralda, and Exequiel Deo-  
dampo, all of Cuartero, Capiz; Catagtakan  
Creek, % the Municipal Mayor, Cuartero, Capiz;  
and to whom it may concern:

Whereas, a petition was filed before this Court  
under the provision of Republic Act 26, by Atty.  
Alfredo B. Gaticales, counsel for the herein peti-  
tioner for the reconstitution of Original Certificates  
of Title, alleged to have been lost or destroyed on  
file in the Office of the Register of Deeds of Capiz,  
as well as their duplicate copies as a result of  
the last world war. The said lots are bounded  
and described as follows:

"A parcel of land (Lot No. 3810, of the  
cadastral survey of Dao), situated in the  
Barrio of Maindang, municipality of Dao, Prov-  
ince of Capiz. Bounded on the E., along line  
1-2 by Lot 3811; on the SE., along line 2-3,  
by Lot 3812; along line 3-4, by Lot No. 3813;  
and along line 4-5, by Lot 3814; on the SW.,  
along lines 5-6-7, by Lot 3818; on the W., and  
NW., along lines 7-8-9-10, by Lot 3415; on  
the NW., along lines 10-11-12, by Lot 3809;  
and on the NE., and E., along lines 12-13-14-1,  
by Lot 5355, all of Dao Cadastre. Containing  
an area of seventeen thousand seven hundred  
fifty-nine (17,759) square meters, more or  
less."

"A parcel of land (Lot No. 3967 of the cadas-  
tral survey of Dao, and shown on Plan Ap-  
2140, L.R.C. Cad. Rec. No. —, situated in  
the barrios of Maindang and Agda-jon, munic-  
ipality of Dao, province of Capiz. Bounded on  
the E., along line 1-2, by Lot 3964 of Dao Ca-  
dastre; along lines 2-5, by Lot 3968 of Dao  
Cadastre; along line 5-6, by Lot 3969 of Dao

Cadastre; along line 6-7, by 3692 of Dao Ca-  
dastre; along line 7-8, by Lot 3949 of Dao  
Cadastre; and along lines 8-11, by Lot 3966  
of Dao Cadastre; and along line 11-1, by Lot  
3965 of Dao Cadastre. Containing an area of  
fifty six thousand four hundred eleven (56,411)  
square meters."

Therefore, you are hereby given notice that the  
said petition has been set for hearing on the 3rd  
day of October, 1975, at 8:00 o'clock in the morning,  
in the session hall of Branch IV of this Court,  
Provincial Capitol in Roxas City, in which date,  
time and place you should appear and file your  
objections or claims if you have any to the petition.

Witness, the Honorable Fidencio S. Raz, Judge of  
this Court, this 10th day of April, 1975.

(Sgd.) ANDRES E. DONATO, JR.

[24, 25]

Deputy Clerk of Court

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF CAVITE  
SEVENTH JUDICIAL DISTRICT

LRC Record No. 1331—Petition for Reconstitution  
of Title

BIENVENIDO CASTRO, et al., petitioners

#### NOTICE OF HEARING

A petition has been filed by petitioners, alleging  
among other things, that they are the legal heirs  
of Celedonio Castor, the registered owner of Lot  
Nos. 202 and 301 of Ternate Cadastre; that the  
only owner's copies of the titles to said lots were  
lost while their original were burned on June  
7, 1959; that the lands are not affected by any  
lien or encumbrance and praying that the Register  
of Deeds of Cavite be ordered to reconstitute the  
titles.

Notice is hereby given that the said petition  
has been set for hearing on July 30, 1975 at  
8:30 a.m., in this Court, Br. I, Trece Martires  
City, on which date, hour and place, any person  
interested is cited to appear and show cause why  
the petition should not be granted.

Let this notice be published twice in the *Official  
Gazette*.

Trece Martires City, June 3, 1975.

(Sgd.) PROCESO P. SILANGCRUZ

[24, 25]

Clerk of Court

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF COTABATO  
SIXTEENTH JUDICIAL DISTRICT  
FIRST BRANCH  
COTABATO CITY

SPECIAL PROCEEDINGS CASE No. 181 B.L. PLAN No. H-180934—In Re: Petition for the Reconstitution of Homestead Patent Original Certificate of Title No. (N.A.) in the Name of LANDION FILANDUK.

NICANOR CARUGDA, petitioner

NOTICE

To: Nicanor Carugda, petitioner, Bugabuñgan, Upi, Maguindanao; Pedro Peñaflorida, Bugabuñgan, Upi, Maguindanao; Diosdado Bello, Bugabuñgan, Upi, Maguindanao; Heirs of Aniceto Bello, Bugabuñgan, Upi, Maguindanao; Nicolas Carugda, Bugabuñgan, Upi, Maguindanao; Guamila Filanduk, Bugabuñgan, Upi, Maguindanao; The Register of Deeds of Maguindanao Province, Cotabato City; and to all whom it may concern:

Whereas, a petition dated May 20, 1974, has been filed with this Court under the provisions of Republic Act No. 26, by Nicanor Carugda of Bugabuñgan, Upi, Maguindanao, for the reconstitution of homestead patent Original Certificate of Title No. (N.A.), issued in the name of Landion Filanduk by the Register of Deeds of Cotabato, alleged to have been lost or destroyed in his office covering the land described in B.L. Plan No. H-180934, situated in Bugabuñgan, Upi, Maguindanao, and bounded:

on the North, by Public Land occupied by Guamila Filanduk; on the East, by property of Pedro Peñaflorida; on the South, by Public Land occupied by Diosdado Bello; on the West, by property of Aniceto Bello; and on the Northwest, by property of Nicolas Carugda (H-134045;

with an area of 222,138 square meters, more or less.

Therefore, you are hereby given notice that said petition has been set for hearing on September 4, 1975, at 8:30 A.M. before this Court in its session hall in Cotabato City, on which date, time and place, you should appear and file your claims or objection, if you have any to the petition.

Witness, the Honorable Glicerio V. Carriaga, Jr., Judge of said Court this 23rd day of May, 1975.

(Sgd.) BENJAMIN N. MUÑASQUE  
Clerk of Court

By: EMILIANO G. DE VERA  
Deputy Clerk of Court

[24, 25]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF COTABATO  
SIXTEENTH JUDICIAL DISTRICT  
FIRST BRANCH  
COTABATO CITY

SPECIAL PROCEEDINGS CASE No. 182 B.L. PLAN No. H-134045—In re: Petition for the Reconstitution of Homestead Patent Original Certificate of title No. 2010 in the name of NICOLAS CAROGDA.

NICANOR CARUGDA, petitioner

NOTICE

To: Nicanor Carugda, petitioner, Upi, Maguindanao; Landion Lambitan Bugabuñgan, Upi, Maguindanao; Manuel Bello Bugabungan, Upi, Maguindanao; The Municipal Mayor (for the proposed Barrio Site) Upi, Maguindanao; The District Land Officer (for the Public Landmountain) Cotabato City; The Register of Deeds of Maguindanao Province—Cotabato City; and to all whom it may concern:

Whereas, a petition dated May 20, 1974, has been filed with this Court under the provisions of Republic Act No. 26, by Nicanor Carugda of Gugabuñgan, Upi, Maguindanao, for the reconstitution of homestead patent Original Certificate of Title No. 2010 issued in the name of Nicolas Carogda by the Register of Deeds of Cotabato, alleged to have been lost or destroyed in his office covering the land described in B.L. Plan No. H-134045, situated in Bugabuñgan, Upi, Maguindanao, and bounded:

on the North, by Public Land (Mountain); on the East, by property of Landion Lambitan; on the South, by property of Manuel Bello; and on the West, by the Municipal Government of Upi (for the proposed Barrio Site, % of the Municipal Mayor Upi, Maguindanao; with an area of 189,217 square meters, more or less.

Therefore, you are hereby given notice that said petition has been set for hearing on September 4, 1975, at 8:30 a.m. before this Court in its session hall in Cotabato City, on which date, time and place, you should appear and file your claims or objections, if you have any, to the petition.

Witness, the Honorable Glicerio V. Carriaga, Jr., Judge of said Court this 23rd day of May, 1975.

BENJAMIN N. MUÑASQUE  
Clerk of Court

By: EMILIANO G. DE VERA  
Deputy Clerk of Court

[24, 25]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF ILOILO  
ELEVENTH JUDICIAL DISTRICT

CADASTRAL CASE No. 29 GLRO RECORD No. 488 Lot  
No. 733 (Passi)

FERMIN PACLIBAR, et al., petitioners

NOTICE

To: Fermin Paclibar, et al., San Enrique, Iloilo;  
The Commissioner, Land Registration Commission;  
The Provincial Land Office, Iloilo City;  
the Register of Deeds of Iloilo and to all these  
may concern:

GREETINGS:

A verified petition has been filed with this Court for the reconstitution of Original Certificate of Title covering Lot No. 733 of Passi Cadastre alleging among other things that they are the only children of the late Filomena Paez, the owner of Lot No. 733 of the Cadastral Survey of Passi, Iloilo; that although they may not be in possession of any certificate of title and neither does the records of the Register of Deeds of Iloilo the records of the Land Registration Commission has issued Decree No. 168716 dated Jan. 8, 1925 pursuant to the decision dated Feb. 23, 1924; that no co-owner's, mortgagee's or lessee's duplicate had been issued or if any had been issued, the same has been lost or destroyed; and that the owners of the adjoining lot are, Pacifico, Ernesto and Jesus, all surnamed Paclibar all residents of Cabugao, San Enrique, Iloilo and Rosario Pama of San Enrique, Iloilo.

Wherefore, notice is hereby given that the above-entitled case be set for hearing on August 20, 1975 at 8:30 a.m. before Branch II, Court of First Instance of Iloilo. Let this Notice be published in the *Official Gazette* and to be posted at the main entrance of the Provincial Capitol, Iloilo City and at any conspicuous place of Passi, Iloilo pursuant to the provisions of Republic Act 26. Also furnished copies to Pacifico Paclibar, Ernesto Paclibar, Jesus Paclibar and Rosario Pama, all of San Enrique, Iloilo.

Witness, the Honorable Executive Judge, Honorable Sancho Y. Inserto, this 9th day of May, 1975.

(Sgd.) MAGDALENA G. LOREDO  
Deputy Clerk of Court

[24, 25]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF LAGUNA  
EIGHTH JUDICIAL DISTRICT  
BRANCH IV

CADASTRAL CASE No. 10 GLRO CADASTRAL RECORD  
No. 201 Lot 3352, Longos Cadastre—In Re:  
Petition for Reconstitution of Title.

Spouses FELIZARDO BAGAYAN and  
ROSARIO ACUEZA, petitioners

NOTICE

To: The Register of Deeds, Sta. Cruz, Laguna;  
Atty. Nonia de la Peña, Sta. Cruz, Laguna;  
Donata Agana; Margarita Abucejo; Mariano Acobera;  
Pedro Abucejo and Faustino Abucejo; all of Kalayaan, Laguna; and to all  
whom these may concern:

Whereas, the above-named petition for reconstitution of Torrens title, filed with this Court, alleges that Original Certificate of Title No. (not available) of the land records of Laguna, issued in the name of Mariano Cabuena, covered a parcel of land particularly described as follows:

"A parcel of land (Lot 3352, Cad. 76, Longos Cadastre, GLRO Cad. Rec. No. 201), situated in the Barrio of Yunot, Municipality of Longos, Province of Laguna, Island of Luzon. Bounded on the NW., by Lots 3350 and 3163; on the N., by Lot 3353; on the NE., by Lot 3354; on the SE., by Lots 3346 and 3348; and on the SW., by Lot 3349, all of Cad. 76, Longos Cadastre. \* \* \*; containing an area of fifteen thousand eight hundred one (15,801) square meters."

that the original as well as the owner's duplicate thereof were either lost or destroyed during the last world war; and that the petitioners have acquired ownership of the land by purchase;

Therefore, you are hereby given notice that the petition is set for hearing on October 21, 1975 at 8:00 a.m., before the Fourth Branch of this Court in Sta. Cruz, Laguna; on which date, time and place you should appear to file and establish your claim or objection, if any you have, to the petition.

Witness, the Honorable Maximo A. Maceren, Judge of the said Court, on this 15th day of April, 1975.

(Sgd.) FRANCISCO S. ABELLA  
Clerk of Court

[24, 25]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF LAGUNA  
EIGHTH JUDICIAL DISTRICT  
BRANCH IV

CADASTRAL CASE No. 10 GLRO CADASTRAL RECORD  
No. 201 Lot 3168, Longos Cadastre—In Re:  
Petition for Reconstitution of Title.

ESPERIDION RODRIGUEZ, petitioner

NOTICE

To: The Register of Deeds, Sta. Cruz, Laguna;  
Atty. Nonia de la Peña, Sta. Cruz, Laguna;  
Atanasio Yapana; Mariano Acobera; Gregoria  
Laforga; Sps. Anselmo Flores and Vicenta Va-  
liente; Catalina Asedillo; Pedro Yapana and  
Honorio Laforga; all of Kalayaan, Laguna;  
and to all whom these may concern:

Whereas, the above-named petition for reconsti-  
tution of Torrens title, filed with this Court, alleges  
that Original Certificate of Title No. (not available)  
of the land records of Laguna, issued in the name  
of Esperidion Rodriguez of San Antonio, Kalayaan,  
Laguna, covered a parcel of land particularly de-  
scribed as follows:

"A parcel of land (Lot 3168 of the cadastral  
survey of Longos, GLRO Cad. Record No. 201),  
situated in the Barrio of Malaking Pulo, Munic-  
ipality of Longos (now Kalayaan), Province  
of Laguna. Bounded on the N., by Lots 3167  
and 3310; on the E., by Lots 3309 and 3308;  
on the S., by Lot 3280; and on the W., by Lot  
3164, all of Cad-76, Longos Cadastre. \* \* \*;  
containing an area of sixteen thousand four  
hundred fourteen (16,414) square meters."

that the original as well as the owner's duplicate  
thereof were either lost or destroyed during the  
last world war;

Therefore, you are hereby given notice that the  
petition is set for hearing on October 21, 1975 at  
8:00 a.m., before the Fourth Branch of this Court  
in Sta. Cruz, Laguna; on which date, time and  
place you should appear to file and establish your  
claim or objection, if any you have, to the peti-  
tion.

Witness, the Honorable Maximo A. Maceren,  
Judge of the said Court, on this 16th day of April,  
1975.

(Sgd.) FRANCISCO S. ABELLA  
Clerk of Court

[24, 25]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF LAGUNA  
EIGHTH JUDICIAL DISTRICT  
BRANCH IV

CADASTRAL CASE No. 44 GLRO CADASTRAL RECORD  
No. 1942 Lot 1072, Sta. Cruz Cadastre—In Re:  
Petition for Reconstitution of Title.

Spouses JOSE PACOMA and OFELIA ROBINA  
Petitioners

NOTICE

To: The Register of Deeds, Sta. Cruz, Laguna;  
Sps. Jese Pacoma and Ofelia Robina; Vicente  
F. Guilatco and the Municipal Mayor, all of  
Sta. Cruz, Laguna; and to all whom these may  
concern:

Whereas, the above-named petition for reconsti-  
tution of Torrens title, filed with this Court, alleges  
that Original Certificate of Title No. (not available)  
of the land records of Laguna, issued in the name  
of Jose Igualada of Sta. Cruz, Laguna covered a  
parcel of land particularly described as follows:

"A parcel of land (Lot 1072 of the cadastral  
survey of Sta. Cruz, Cad-278, LRC Record  
No. —), situated in the Barrio of Sto. Angel,  
Municipality of Sta. Cruz, Province of Laguna.  
Bounded on the SW., by Road; on the NW.,  
by Lot 1071 of Cad-278, Sta. Cruz Cad.; on  
the NE., by River; and on the SE., by Road.  
\* \* \*; containing an area of one hundred  
fifty-five (155) square meters."

that the original as well as the owner's duplicate  
thereof were either lost or destroyed during the  
last world war; and that petitioners have acquired  
ownership of the land by purchase;

Therefore, you are hereby given notice that the  
petition is set for hearing on November 17, 1975  
at 8:00 a.m., before the Fourth Branch of this  
Court in Sta. Cruz, Laguna; on which date, time  
and place you should appear to file and establish  
your claim or objection, if any you have, to the  
petition.

Witness, the Honorable Maximo A. Maceren,  
Judge of the said Court, on this 12th day of May,  
1975.

(Sgd.) FRANCISCO S. ABELLA  
Clerk of Court

[24, 25]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF LAGUNA  
EIGHTH JUDICIAL DISTRICT  
BRANCH IV

CADASTRAL CASE No. 44 GLRO CADASTRAL RECORD  
No. 1942 Lot 1831, Sta. Cruz Cadastre—In Re:  
Petition for Reconstitution of Title.

ZOILO ESTRADA, petitioner

NOTICE

To: The Register of Deeds, Sta. Cruz, Laguna;  
Atty. Nonia de la Peña; Serafin Estrada; Li-

wayway P. Palomique; Victor Salvador and the Municipal Mayor, all of Sta. Cruz, Laguna; and to all whom these may concern:

Whereas, the above-named petition for reconstitution of Torrens title, filed with this Court, alleges that Original Certificate of Title No. (not available) of the land records of Laguna, issued in the names of the spouses Zoilo Estrada and Asuncion Agor of Sta. Cruz, Laguna, covered a parcel of land particularly described as follows:

"A parcel of land (Lot No. 1831 of the Cadastral Survey of Santa Cruz), with the improvements thereon, situated in the Barrio of Sto. Angel Norte, Municipality of Santa Cruz. Bounded on the NE., by a road; on the E., by Lot No. 1215; on the SW., by Lot No. 1217; and on the W., by Lot No. 1216. \* \* \*; containing an area of one hundred thirteen (113) square meters."

that the original as well as the owners' duplicate thereof were either lost or destroyed during the last world war;

Therefore, you are hereby given notice that the petition is set for hearing on September 25, 1975 at 8:00 a. m., before the Fourth Branch of this Court in Sta. Cruz, Laguna, on which date, time and place you should appear to file your claim or objection, if any you have, to the petition.

Witness, the Honorable Maximo A. Maceren, Judge of the said Court, on this 20th day of May, 1975.

(Sgd.) FRANCISCO S. ABELLA  
Clerk of Court

[24, 25]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF LAGUNA  
EIGHTH JUDICIAL DISTRICT  
BRANCH IV

LAND REGISTRATION CASE No. 878 GLRO RECORD  
No. 24101—In Re: Petition for Reconstitution  
of Title.

JOSE M. KARAGDAG, petitioner

NOTICE

To: The Register of Deeds, Sta. Cruz, Laguna;  
Atty. Nonia de la Peña, Sta. Cruz, Laguna;  
Hrs. of Elisea Ong-teco; Hrs. of Mariano Tesoro and the Municipal Mayor, all of Sta. Cruz, Laguna; and to all whom these may concern:

Whereas, the above-named petition for reconstitution of Torrens title, filed with this Court, alleges that Original Certificate of Title No. (not available) of the land records of Laguna, issued in the names of the spouses Juan Balasico and Servanda Miranda of Sta. Cruz, Laguna, covered a parcel of land particularly described as follows:

"A parcel of land (Plan Psu-19903), with the building thereon, situated in the Poblacion,

Municipality of Santa Cruz. Bounded on the NE., and NW., by property of Elisea Ong-teco; on the SE., by property of Mariano Tesoro; and on the SW., by the A. Regidor Street. \* \* \*; containing an area of eighty-eight (88) square meters, more or less."

that the original as well as the owner's duplicate thereof were either lost or destroyed during the last world war; and that the petitioner has acquired ownership of the land by inheritance;

Therefore, you are hereby given notice that the petition is set for hearing on November 18, 1975 at 8:00 a.m., before the Fourth Branch of this Court in Sta. Cruz, Laguna, on which date, time and place you should appear to file your claim or objection, if any you have, to the petition.

Witness, the Honorable Maximo A. Maceren, Judge of the said Court, on this 23rd day of May, 1975.

(Sgd.) FRANCISCO S. ABELLA  
Clerk of Court

[24, 25]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF LAGUNA  
EIGHTH JUDICIAL DISTRICT  
BRANCH I, BIÑAN

GLRO RECORD No. 8375—In Re: Judicial Reconstitution of Transfer Certificate of Title No. (N.A.), covering Lot No. 151 of the Santa Rosa Estate.

CONRADO ALINSOD, petitioner

NOTICE

To: The Register of Deeds, Calamba, Laguna; Conrado Alinsod, Santa Rosa, Laguna; Jose Dia, Santa Rosa, Laguna; Cecilio Cartagena, Santa Rosa, Laguna; Irrigation Canal, NIA, Office, Santa Rosa, Laguna; The Municipal Mayor, Santa Rosa, Laguna; and to all whom it may concern:

Whereas, a petition was filed under the provisions of Republic Act No. 26 by the above-named petitioner for the reconstitution of Transfer Certificate of Title No. (N.A.) covering Lot No. 151 of the Sta. Rosa Estate Subdivision in the name of Ciriaco Alinsod and Paulino Encina (the legal Hrs. of Florencia Alacdan, deceased) that the owner's duplicate copy as well as the original of the said title were allegedly destroyed during the past war, covering a parcel of land, more particularly described as follows:

"A parcel of land (Lot 151, Sta. Rosa Estate, LRC Record No. ....), situated in the Poblacion, Municipality of Sta. Rosa, Province of Laguna. \* \* \*; containing an area of six hundred thirty-seven (637) square meters."

Therefore, you are hereby given notice that the petition is set for hearing on September 30, 1975 at 8:30 a.m. before this Court of Biñan, Laguna, on which date, time and place you should appear to file your claim or objection, if any you have thereto.

Witness, the Hon. Herminio A. Avendaño, Judge of said Court, this 21st day of April, 1975 at Biñan, Laguna.

[24, 25] (Sgd.) VIRGILIO T. MARAMBA  
Senior Deputy Clerk of Court

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF LAGUNA  
EIGHTH JUDICIAL DISTRICT  
BRANCH II

CADASTRAL CASE No 9 GLRO RECORD No. 200 Lot No. 998, Pagsanjan Cadastre.—In Re: Petition for Judicial Reconstitution of Original Certificate of Title No. (N.A.).

ELENA T. GAUNA, petitioner

NOTICE OF HEARING

To: The Register of Deeds, Santa Cruz, Laguna; Elena T. Gauna, 974 J. Rizal Street, Makati, Rizal; Romana Unson, Ponciano de Quinto, Ignacio Abary and Zacarias Vidal, all of Pagsanjan, Laguna; and to all whom these may concern:

Whereas the above-named petition for reconstitution of Torrens Title alleges that Original Certificate of Title No. (not available) of the land records of Laguna, issued in the name of Marciana de los Santos covered a parcel of land particularly described as follows:

“A parcel of land (Lot 998 as shown on plan—of the cadastral survey of Pagsanjan, LRC Cad. Record No. 200), situated in the Barrio of Magdapio, Municipality of Pagsanjan, Province of Laguna. Bounded on the E. by Lot 999; on the S. SW. and W by Road; on the N. by Lots 997, 1002; and on the E. by Lots 1000 and 999, all of Cad-69, Pagsanjan Cadastre. Containing an area of six thousand one hundred eighty-three (6,183) square meters.”

that the original as well as the owner's duplicate thereof were lost or destroyed during the last world war; and that the petitioner is a granddaughter of the registered owner;

Therefore you are hereby given notice that the petition is set for hearing on July 17, 1975 at 8:30 a.m. before the Second Branch of this Court in Santa Cruz, Laguna, on which date, time and

place, you should appear to file and establish your claim or objection, if any you have to the petition.

Witness, the Honorable Gabriel V. Velero, Judge of this Court, this 28th day of January, 1975 at Santa Cruz, Laguna.

[24, 25] (Sgd.) FRANCISCO S. ABELLA  
Clerk of Court

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE  
OF NEGROS OCCIDENTAL  
TWELFTH JUDICIAL DISTRICT  
BRANCH VI—HIMAMAYLAN

CADASTRAL CASE No. 37 LRC CADASTRAL RECORD No. 972 Lot No. 177, Cauayan Cadastre.—Reconstitution of Original Certificate of Title No. (NA)

EUGENIO C. MAGADA, petitioner

NOTICE

To: Eugenio Magada, Sotero Magada, Valeriano Magada and Gregorio Magada, all of Cauayan, Negros Occidental; and to all whom it may concern:

GREETINGS:

Whereas, a verified petition has been filed with this Court under Republic Act No. 26 praying for the reconstitution of the original as well as the owner's duplicate of Original Certificate of Title No. (NA), covering Lot No. 1771 of the Cadastral Survey of Cauayan, in the name of Gregorio Magada, married to Flavia Caña and is/are bounded as follows: on the N. by Panay Gulf; on the E. by Lot 1770; on the S. by Lot 1773; and on the W. by Lot 1772, with an area of 1.801 sq. meters.

Wherefore, notice is hereby given that said petition has been set for hearing on September 2, 1975 at 8:30 A.M., before this Court at the People's Hall of Himamaylan, Negros Occidental, on which date, time and place, all persons interested in the property, to appear and show cause, if any, why the petition should not be granted.

Witness, the Hon. Ostervaldo Z. Emilia, Judge of said Court this 22nd day of May, 1975 at Himamaylan, Neg. Occ.

[24, 25] (Sgd.) ARNULFO M. NONO  
Clerk of Court

REPUBLIKA NG PILIPINAS  
HUKUMANG UNANG DULUGAN NG NUWEBA  
ESIHA

COURT OF FIRST INSTANCE OF NUEVA ECIJA  
IKA-APAT NA DISTRICTONG PANGHUKUMAN  
IKA-4 NA SANGAY  
GUIMBA

FILE NO. 302-G, CADASTRAL CASE NO. 1073, LRC  
Rec. No. 19038, Lot Nos. 1 and 2, Plan Psu-  
11345.—Re: Petition for the Reconstitution of  
Original Certificate of Title No. 2291 of the  
Registry of Deeds of Nueva Ecija.

LUZ VALDES-PAMINTUAN, et al., Petitioners

NOTICE OF HEARING

To: Solicitor General, Manila; Director of Lands,  
Manila; the Register of Deeds of Nueva Ecija;  
Atty. Vic. N. Tan, Cabanatuan City; Luz  
Valdes-Pamintuan, 103 Mariveles St., Quezon  
City; Salud Valdes-Bautista, 101 Calamba St.,  
Quezon City; Jose J. Valdes, 619 Mahistrado  
Abad Santos, Sta. Mesa, Manila; Socorro Val-  
des-Serrano, 103 Mariveles St., Quezon City;  
Angustia Rodriguez-Valdes, 192 Kanlaon St.,  
Quezon City; Lorenzo J. Valdes, 201 Valdes  
Building "C", Plaza Miranda, Rizal St., Ange-  
les City; Augusto J. Valdes, Concepcion, Tar-  
lac; Remedios Valdes-Panlilio, 129 Apo St.,  
Quezon City; Africa Valdes-Reynoso, 10 Ipil  
Road, Forbes Park, Makati, Rizal; Jorge Mar-  
iano, Bo. Bulala, Cuyapo, Nueva Ecija; Anto-  
nio Tapiador and Gualberto Deocales, 27  
Magsaysay Ave., Cuyapo, Nueva Ecija; Mrs.  
Crisostomo Gregorio, Manuel Yangco and Mar-  
cos Mudlong, all of Magsaysay Ave., Bulala,  
Cuyapo, Nueva Ecija, and to all whom it may  
concern:

Whereas, a petition has been filed in this Court  
by Luz Valdes-Pamintuan, et al., under the pro-  
visions of Rep. Act No. 26, for the reconstitution  
of Original Certificate of Title No. 2291 of the  
Registry of Deeds of Nueva Ecija, alleging among  
others, that the Original Certificate of Title kept  
by the Register of Deeds of Nueva Ecija was al-  
ready destroyed and the owner's duplicate copy  
of the title kept by the petitioners was destroyed  
in a conflagration during the war; that no co-  
owner's mortgagee's or lessee's duplicate had been  
issued and which title covers two parcels of land  
known as Lot No. 1 and Lot No. 2, Plan Psu-11345,  
situated in the barrio of Bulala, Municipality of  
Cuyapo, Nueva Ecija, bounded and particularly  
described as follows:

"1. A parcel of land (Lot No. 1, Plan Psu-  
11345), situated in the Barrio of Bulala,  
Municipality of Cuyapo. Bounded on the NE.  
by the road to San Juan; on the E. by the  
Bulala Brook and property of Agustin Sabete;  
on the S. by property of Rosendo Santiago;

and on the NW. by property of the Manila  
Railroad Co. \* \* \* containing an area of  
seven thousand six hundred and three (7,603)  
square meters, more or less. \* \* \*"

"2. A parcel of land (Lot No. 2, Plan Psu.  
11345), situated in the Barrio of Bulala,  
Municipality of Cuyapo. Bounded on the NE.  
by the road to San Juan and portion (ex-  
cluded); on the SE. by properties of Doroteo  
de Guzman and Cecilia Navarro; and on the  
NW by property of Teodoro Ligda. \* \* \* con-  
taining an area of three thousand six hundred  
and thirty-nine (3,639) square meters, more  
or less. \* \* \*"

Whereas, upon motion of the petitioners, thru  
counsel, the hearing on May 20, 1975 was cancelled  
and reset to October 16, 1975 at 8:30 a.m.;

Wherefore, you are hereby given notice that  
the said petition has been reset for hearing on  
October 16, 1975, at 8:30 a.m. in the Sala of this  
Court at Guimba, Nueva Ecija, on which date,  
time and place you should appear and show cause  
if any, why the said petition should not be granted.

This notice shall be published for two (2) con-  
secutive weeks in the *Official Gazette*, at the ex-  
pense of the petitioners.

Witness, the Honorable Jaime M. Lantin, Judge  
of this Court this 19th day of May, 1975, at  
Guimba, Nueva Ecija.

(Sgd.) MANUEL D. TAMASE  
Clerk of Court

[24, 25]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF NUEVA  
VIZCAYA  
FIRST JUDICIAL DISTRICT  
BAYOMBONG

CADASTRAL CASE NO. 12 Lot No. 4644, Cad. 178  
Solano Cadastre—In Re: Petition for the Re-  
constitution of Original and Owner's Duplicate  
of Transfer Certificate of Title No. 2963 of the  
Land Records of Nueva Vizcaya Issued in the  
name of Bernardo Garcia under Republic Act  
No. 26.

Spouses VIDAL BORRAMEO and FERMINA L.  
DANGUILAN, Petitioners

NOTICE OF HEARING

To: The Commissioner of Land Registration,  
Quezon City; the Director of Lands, the Di-  
rector of Forestry and the Solicitor General all  
of Manila; the Register of Deeds, the Provincial  
Governor, the Provincial Fiscal, the District  
Highway Engineer, Bureau of Public Works  
District Engineer, all of Bayombong, Nueva  
Vizcaya; Atty. Ernesto S. Salunat, counsel for  
the petitioners, Solano, Nueva Vizcaya; Aureo  
Birco, Bayombong, Nueva Vizcaya; Simeon Ca-

dawan, Solano, Nueva Vizcaya; and to all whom it may concern:

Whereas, under the provision of Republic Act 26, a verified petition has been filed with this Court by spouses Vidal Borromeo and Fermina L. Danguilan of Solano, Nueva Vizcaya, for the reconstitution of original and owner's duplicate of Transfer Certificate of Title No. 2963 of the land records of Nueva Vizcaya issued in the name of Bernardo Garcia, alleged to have been lost, covering a parcel of land now designated as Lot No. 4644 of the Solano Cadastre \* \* \*. Bounded on the E., along line 2-3, by Irrigation Ditch; on the W., along line 3-4, by Lot 4643, Solano Cadastre; and on the NW., along line 4-1, by Irrigation Ditch. \* \* \* containing an area of eight thousand four hundred ten (8,410) square meters, more or less. \* \* \*.

Wherefore, you are hereby given notice that the petition has been set for hearing on the 29th day of October, 1975, at 8:30 o'clock in the morning, before Branch II of the Court of First Instance of Nueva Vizcaya, at Bayombong, Nueva Vizcaya, on which date, time and place you should appear and file your claim or objection, if you have any, to said petition.

Witness, the Honorable Gabriel Dunuan, Judge of this Court this 16th day of April, 1975.

(Sgd.) TRANQUILINO V. RAMOS  
[24-26] Acting Clerk of Court

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF  
PAMPANGA

FIFTH JUDICIAL DISTRICT  
BRANCH THREE

CADASTRAL CASE No. 8.

BUENAVENTURA ARCEO, petitioner

ORDER

A verified petition having been filed under the provision of Republic Act No. 26 by the peti-

tioner, praying for the reconstitution of Original Certificate of Title No. 4506 issued in the name of Maria D. Aquino, alleged to have been lost, covering Lot No. 3325 of the San Fernando, Cadastre:

It appearing that said petition is sufficient in form and substance, the Court hereby sets the hearing thereof on October 13, 1975 at 8:30 o'clock in the morning at the Pampanga Hall of Justice Building, San Fernando, Pampanga, on which date, time and place, all persons having interest or claim in the land in question may appear and file their opposition, if any:

Let this Order be published, at the expense of the petitioner, twice in the successive issues of the *Official Gazette*, and posted on the main entrance of the Provincial Building and/or the Municipal Building of the Municipality where the land lies, at least thirty (30) days prior to the hearing as above set.

Observance of Section 23 of Republic Act No. 26, as circularized under Circular No. 26 dated June 21, 1948 on the matter and so far as applicable in connection herewith is hereby enjoined of all concerned.

So ORDERED.

San Fernando, Pampanga May 6, 1975.

(Sgd.) MARIANO CASTAÑEDA, JR.  
[24.25] Judge



## Komisyon sa Patalaan ng Lupain (LAND REGISTRATION COMMISSION)

### [FIRST PUBLICATION]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF BATANGAS

Land Registration Case No. N-55

LRC Record No. N-45650

#### NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. III-2, the City Mayor, the City Council, the City Fiscal, the City Treasurer, the City Engineer, Camilo Pentinio, Cenon Arcangel, Antonio Tarcelo or Antonio Tarcela, Susana Driz, Jose Cepillo, Arceli Arcangel, Lorenzo Velasco, Expectacion Borillo and Leopoldo Borillo, Batangas City; Carlos Pucada, Tomas Cueto and Nicolas Delgado, Poblacion, Batangas City; and to all whom it may concern:

Whereas, an application has been presented to this Court by Felisa Macatangay, Batangas City, to register and confirm her title to the following property:

A parcel of land (Lot 631 Cad-264, Batangas cadastre, plan AP-04-000115) with the improvements thereon, situated in the Poblacion, City of Batangas. Bounded on the N. by D. Silang Street; on the E. by properties of Nicolas Delgado and Expectacion & Leopoldo Borillo; on the SE., by properties of Antonio Tarcela and Jose Cepillo; on the SW., properties of Carlos Pucada and Susana Driz; and on the NW., by property of Tomas Cueto; Point "1" is S. 15 deg. 54 min. E., 223.17 meters from BBM 7, Cad-264, Batangas Cadastre, Area nine hundred fifty four (954) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Batangas, at its session to be held in the City of Batangas, Philippines, on the 21st day of August, 1975, at 8:00 o'clock in the forenoon to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid your default will be recorded and the said application will be taken as confessed and you will be

forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Jaime R. Agloro, Judge of said Court, the 4th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 28th day of April, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
[24, 25] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF BATANGAS

Land Registration Case No. N-69

LRC Record No. N-46900

#### NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. IV-2, the City Mayor, the City Council, the City Fiscal, the City Treasurer, the City Engineer, the Heirs of Catalina Villamor and Lutgarda Abacan Llana, Batangas City; Rosa Gutierrez, Erlinda C. Añonuevo and Milagros C. Carnero, E. Evangelista St., Batangas City; and to all whom it may concern:

Whereas, an application has been presented to this Court by Margarita Llana Vda. de Agtarap, 2008 Dominga St., Pasay City, assisted by Atty. Sulpicio Bolaños Jr., Batangas City, to register and confirm her title to the following properties:

Two (2) parcels of land situated in the Poblacion, City of Batangas. The Boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 600, Cad-264, Batangas Cadastre, plan AP-04-000154). Bounded on the E. by Lot 601; on the S. by E. Evangelista Street; on the SW. by P. Burgos Street; and on the NW. by property of the Heirs of

Catalina Villamor. Point "1" is N. 29 deg. 04 min. W., 276.60 meters from BLLM 1, Cad-264, Batangas Cadastre. Area six hundred seventy-eight (678) square meters, more or less.

2. A parcel of land (Lot 601, Cad-264, Batangas Cadastre, plan Ap-04-000154). Bounded on the E. by property of Rosa Gutierrez; on the S. by E. Evangelista Street; on the W. by Lot 600; and on the NW. by property of the Heirs of Catalina Villamor. Point "1" is N. 29 deg. 18 min. W., 252.41 meters from BLLM 1, Cad-264, Batangas Cadastre. Area five hundred fifty two (552) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Batangas, at its session to be held at Branch II, City of Batangas, Philippines, on the 19th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Jaime R. Agloro, Judge of said Court, the 4th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
[24,25] Acting Chief, Decket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF CAVITE  
Land Registration Case No. N-1166  
LRC Record No. N-47050

#### NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Trece Martires City; the District Land Office No. IV-4, Rosario, Cavite; the Municipal Mayor, the Municipal Council, Kawit, Cavite; Fermin Abad, Nemesio Pasao, Emilio Pasao, Soledad Abad, and the

Heirs of Beatriz Pazao, Manggahan, Kawit, Cavite; and to all whom it may concern:

Whereas, an application has been presented to this Court by Rita Pasao, Binakayan, Kawit, Cavite, assisted by Atty. Wenceslao V. Jarin, R-36, San Luis Building, T-Kalaw-Ma. Orosa Sts., Ermita, Manila, to register and confirm her title to the following property:

A parcel of land (Plan Psu-243530), situated in the Barrio of Manggahan, Municipality of Kawit, Province of Cavite. Bounded on the N. by Evangelista Street; on the E. by a Callejon and property of Soledad Abad; on the SW. by property of the Heirs of Beatriz Pasao (before) Nemesio Pasao (now); and on the W. by property of Emilio Pasao. Point "1" is S. 18 deg. 59 min. E., 826.66 meters from BLLM 3, Cad-203, Kawit Cadastre. Area four hundred eighty five (485) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Cavite, at its session to be held in the City of Cavite, Philippines, on the 9th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Ernani Cruz Pano, Judge of said Court, the 19th day of May, in the year 1975.

Issued at Quezon City, Philippines, this 26th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
[24,25] Acting Chief, Decket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF CAVITE

Land Registration Case No. TG-231  
LRC Record No. N-46929

#### NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Trece Martires City;

the District Land Office No. IV-4, Rosario, Cavite; the Municipal Mayor, the Municipal Council, Mr. Isidro Pinano (Municipal Treasurer), Alfonso, Cavite; Jovita Dimaranan, Eugenio Mojica, Jr., Amalia Montenegro, Nemesio Cosa, Belen M. Sanchez, Heirs of Eugenio Mojica, Amalia E. Mojica, Felisa D. Cruz, Vicente Cruz, Poblacion, Alfonso, Cavite; Heirs of Raymunco Cron, Leon Cron, Felicidad Ferre, Miguel Ferre, Silvino Mojica, Isabelo Aviñante, Catalino Rondael, Taywanak, Alfonso, Cavite; and to all whom it may concern:

Whereas, an application has been presented to this Court by Modesto A. Mojica, Alfonso, Cavite, to register and confirm his title to the following properties:

1. A parcel of land (plan Psu-239366) with the improvements thereon, situated in the Poblacion, Municipality of Alfonso, Province of Cavite. Bounded on the NE. by Calle Rizal; on the SE. by property of Amalia Montenegro; on the SW. by property of Nemesio Cosa; and on the NW. by properties of Belen M. Sanchez and Eugenio Mojica, Jr. Point "1" is N. 31 deg. 37 minutes W., 371.83 meters from BLLM 2. Alfonso, Cavite. Area three hundred ninety five (395) square meters, more or less.

2. A parcel of land (plan Psu-237947) with the improvements thereon, situated in the Barrio of Taywanak, Municipality of Alfonso, Province of Cavite. Bounded on the NE. by the Baño River and property of Felisa D. Cruz; on the E. and SE. by a Callejon and properties of Felicidad Ferre, Miguel Ferre and Silvino Mojica; on the SW. by Calle Rizal; and on the NW. by property of the Heirs of Raymundo Cron. Point "1" is N. 25 deg. 40 minutes W., 1,412.70 meters from BLLM 2. Alfonso, Cavite. Area thirteen thousand two hundred ninety one (13,291) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Cavite at its session to be held in the City of Tagaytay, Philippines, on the 22nd day of July, 1975 at 9:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Alfredo B. Concepcion, Judge of the said Court, the 14th day of February, in the year 1975.

Issued at Quezon City, Philippines, this 21st day of April, 1975.

Attest:

GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
[24, 25] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF CAVITE

Land Registration Case No. TG-246  
LRC Record No. N-46930

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Trece Martires City; the District Land Office No. IV-4, Rosario, Cavite; the City Mayor, the City Council, the City Fiscal, the City Treasurer, the City Engineer, Victoria Bondoc de Sto. Domingo, Angel T. Limjoco, Fermin or Fermimo Malabanan, Adriano Panganiban, Claro Tenorio, Congregacion de las Religiosas de la Virgen Maria, Hammon H. Buck or Heirs of Hammon H. Buck, Tagaytay City; Fermin or Fermimo Malabanan, Talisay, Batangas; Maria P. Aure de Escobar or Escover, Adriano Panganiban, Mendez, Cavite; Alberto Margolles, 1602 Cypress St., Dasmariñas Village, Makati, Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by Patrocinio E. Margolles, 1602 Cypress St., Dasmariñas Village, Makati, Rizal; to register and confirm her title to the following properties:

THREE (3) parcels of land, situated in the City of Tagaytay. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 1, plan Psu-113351). Bounded on the NE. by properties of Fermin or Fermimo Malabanan and Claro Tenorio; on the SE., by property of Claro Tenorio; on the SW., by properties of Angel T. Limjoco; on the W., by property of Maria P. Aure de Escobar or Escover; and on the NW., by properties of Hammon H. Buck and Lot 2. Point "1" is S. 44 deg. 47 minutes E., 293.74 meters more or less, from BLBM 1, Bo. Kaybagal, Municipality of Amadeo. Area four hundred twenty thousand sixty (420,060) square meters, more or less.

2. A parcel of land (Lot 2, plan Psu-113351). Bounded on the NE., S., SW. & W., by Lot 1; and on the NW., by property of Hammon H. Buck. Point "1" is S. 58 deg. 30 minutes E., 1,571.85 meters, more or less, from BLBM 1, Bo. Kaybagal, Municipality of Amadeo. Area forty nine thousand four hundred forty five (49,445) square meters, more or less.

3. A parcel of land (plan Psu-113356). Bounded on the N., by property of Hammon H. Buck; on the SE., by property of the Congregacion de las Religiosas de la Virgen Maria; on the SW., by property of Angel T. Limjoco; and on the NW., by properties of Hammon H. Buck. Point "1" is S. 37 deg. 53 minutes E., 1,224.25 meters, more or less, from BLBM 1, Bo. Kaybagal, Municipality of Amadeo. Area twenty eight thousand eight hundred seventy nine (28,879) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Cavite, at its session to be held at Branch IV, Tagaytay City, Philippines, on the 22nd day of July, 1975, at 9:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Alfredo B. Concepcion, Judge of said Court, the 17th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
[24, 25] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF CEBU

Land Registration Case No. N-971  
LRC Record No. N-46961

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer and the District Land Office No.

VII-I, Cebu City; the Municipal Mayor and the Municipal Council, Apolonio Nies, Consolacion, Cebu; Cornelia Vda. de Lumapas, Julita Vda. de Lumapas, Baldomero Gasal, Maria Vda. de Quimod, Felipe Herbito, Antonio Guizon, Fausto Majardon, Agustina Ativio, Lorenzo Quimod, Paula Quimod, Heirs of Felix Gasal, Andres Lumapas, Modesto Semblante, Genoveva Quimod, Vicente Quimod, Galo Mondarte, Victoriano Balaba, Ciriaca Quimod, Apolonio Candido, Dominga Domecillo, Florentino Ibale, Almaquio Bihag, Jose Oliva, Maxima Antigua, Domeciano Casal, Baldomero Casal, Gregoria Quimod, Remigia Goc-ong, Dominga Ponce, Jovita Casal, and Rufino Lacio, Heirs of Gil Quimod, Juling Lumapas, Polpogan, Consolacion, Cebu; Lolong Lec, 2nd Unit Carbon Market, Cebu City; and to all whom it may concern:

Whereas, an application has been presented to this Court by Zitioba Land Developers, Incorporated, represented by Eduardo J. Aboitiz, 183 Juan Luna St., Cebu City, P.O. Box 65, thru Atty. Abelardo P. Cecilio, Aboitiz & Co., Inc., Juan Luna St., Cebu City, to register and confirm its title to the following property:

A parcel of land (plan Psu-07-01-000467), situated in the Polpogan, Municipality of Consolacion, Province of Cebu. Bounded on the NE., by properties of Baldomero Gasal and Juling Lumapas; on the SE. by properties of Apolonio Candido, Dominga Domecillo, Florentino Iballe, Almaquio Bihag and the Zitioba Land Developers Inc.; on the SW. by properties of Lolong Lee, Zitioba Land Developers Inc., Jose Oliva and Apolonio Nies; and on the NW. by properties of Maxima Antigua, Domeciano Gasal, Baldomero Gasal, Gregoria Quimod, Remigia Goc-ong, Dominga Ponce and Jovita Gasal. Point "1" is N. 29 deg. 40 min. W., 871.62 meters from BLBM 1, Consolacion, Cebu. Area sixty eight thousand eight hundred eight (68,808) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Cebu, at its session to be held in the City of Cebu, Philippines, on the 29th day of October, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness the Hon. Juan Y. Reyes, Judge Branch I. of said Court, the 11th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
[24, 25] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF ILOCOS SUR

Land Registration Case No. N-24

LRC RECORD NO. N-46715

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Ave., Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. 1-3, Enrique Quema, Vigan, Ilocos Sur; the Municipal Mayor, the Municipal Council, Juan Cacho, Constanca Calixterio, Magno Fortuna, Mariano Cachola, Segunda Cejalvo Cajalvo, Genara Cachola, Inocencio Cachola, Bernardo Montero, Guadalupe Cabanilla, Anastacia Casañas or Casañas, Diego Corpuz, Froilan Montero, Trinidad Camarillo, Juan Chan Liecco, Venancio Bautista, Pedro Cabatu, Mariano Cabalquito or Cabalquito, Telesforo Cabagua, Esperanza Cacho, Lorenzo Blanco, Angel Quitazol, Guillerma Cabatu, Maria Cabaya, Simplicia Cabatu, Francisca Cabatu, Marcial Cabalquito, Pedro Cabe, Agustin Cachola, Agustina Cachola, Marciano Cabalquinto, Manuela Cabe, Laureano Roldan, Esteban Cabana, Jesus Encarnacion, Guillermo Encarnacion, Maximino Montero, Troadio Legaspi, Luciana Cabuco, Roman Cachola, Jose Cabacungan, Federico Sanidad, Gonzalo Cabalquinto, Vicenta Cantoria, Candida Cachola, Inocencio Cachola, Maria Laya Soria, Severo Comiso, Isabel de la Cuadra, Paz Villanueva, Caridad Bautista, Bernardin Roldan, Ponciano Vilorio, Justino Cabe, Jose de la Cuadra, Josefina Florendo Vda. de Festejo, Maximiana Cacas Cacho, Nemesio Cachola, Salome Vilorio, Restituto Vilorio and the General Manager, National Development Company, Narvacan, Ilocos Sur: and to all whom it may concern:

Whereas, an application has been presented to this Court by the Crowntex Corporation, represented by its President Manuel I. Tinio, 2655 Old Panaderos Street, Sta. Ana, Manila, thru Atty.

B.A. Bermudez, 3-D, Kaingin Road, Quezon City, to register and confirm its title to the following properties:

TWENTY SIX (26) parcels of land with the building and improvements thereon, situated in the Barrio of San Antonio, Municipality of Narvacan, Province of Ilocos Sur. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 1, plan Psu-141715). Bounded on the NE., by Lot 7 (claimed by Ponciano Vilorio), the National Road, Lot 8 (claimed by Magno Fortuna), Lot 9 (claimed by Juan Chan Liecco) and Lot 10 (claimed by Enrique Quema); on the SE., by Lot 11 (claimed by Justino Cabe), Lot 16 (claimed by Anastacia Casañas or Casañas), properties of Diego Corpuz, Froilan Montero, Trinidad Camarillo, Lot 17 (claimed by Juan Chan Liecco) properties of Venancio Bautista, Pedro Cabatu & Telesforo Cabagua; on the SW. by Lot 18 (claimed by Pedro Cabatu) properties of Esperanza Cacho, Vicenta Cantoria, Pedro Cabatu & Telesforo Cabagua, Lorenzo Blanco, Angel Quitazol and Guillerma Cabatu & Maria Cabaya; and on the NW., by Lot 19 (claimed by Simplicia Cabatu), Lot 25 (claimed by Paz Villanueva), Lot 26 (claimed by Nemesio Cachola and properties of Caridad Bautista and Bernardin Roldan. Point "1" is S. 6 deg. 18 min. W., 884.00 meters from BLLM 3, Narvacan, Ilocos Sur. Area forty nine thousand six (49,006) square meters, more or less.

2. A parcel of land (Lot 2, plan Psu-141715). Bounded on the NE., by the National Road; on the SE., by property of Juan Cacho; and on the NW. by Lot 12 (claimed by Jose dela Cuadra). Point "1" is S. 3 deg. 55 min. E., 1,128.37 meters from BLLM 3, Narvacan, Ilocos Sur. Area one hundred twenty-two (122) square meters, more or less.

3. A parcel of land (Lot 3, plan Psu-141715). Bounded on the NE., by Lot 12 (claimed by Jose de la Cuadra); on the SE., by properties of Candida Cachola and Constanca Calixterio; and on the NW., by Lot 13 (claimed by Magno Fortuna) and Lot 11 (claimed by Justino Cabe). Point "1" is S. 3 deg. 02 min E., 1,155.37 meters from BLLM 3, Narvacan, Ilocos Sur. Area one thousand twenty seven (1,027) square meters, more or less.

4. A parcel of land (Lot 4, plan Psu-141715). Bounded on the NE., by Lot 11 (claimed by Justino Cabe); on the SE., by Lot 13 (claimed by Magno Fortuna and Mariano Cachola); and on the NW., by Lot 14 claimed by Segunda Cajalvo. Point "1" is S. 0 deg. 06 min E., 1,166.25 meters from BLLM 3, Narvacan, Ilocos Sur. Area four hundred fifty (450) square meters, more or less.

5. A parcel of land (Lot 5, plan Psu-141715). Bounded on the NE., by Lot 11, claimed by Justino Cabe; on the SE., by Lot 15, claimed by Genara Cachola and properties of Inocencio Cachola, Ber-

nardino Montero and Guadalupe Cabanilla; and on the NW., by Lot 16, claimed by Anastacia Casañas or Casañas. Point "1" is S. 1 deg. 38 min. W., 1,174.32 meters from BLLM 3, Narvacan Ilocos Sur. Area three thousand eight hundred forty-seven (3,847) square meters, more or less.

6. A parcel of land (Lot 6, plan Psu-141715). Bounded on the SE., by Lot 22, claimed by Pedro Cabe; on the S., by lot 20, claimed by Francisca Cabatu, Lot 21, claimed by Josefina Florendo Vda. de Testejo; on the SW., by properties of Marciano Cabalquinto, Pedro Cabe, Manuela Cabe, Agustin Cachola, and Inocencio Cachola; and on the NW., by properties of Inocencio Cachola, Agustina Cachola, Manuela Cabe; Pedro Cabe, Mariano Cabalquito or Cabalquinto, Maria Laya Soria, Venancio Bautista, Severo Coniso and Isabel de la Cuadra. Point "1" is S. 13 deg. 30 min. W., 929.84 meters from BLLM 3, Narvacan, Ilocos Sur. Area nine thousand eight hundred thirty nine (9,839) square meters, more or less.

7. A parcel of land (Lot 7, plan Psu-141715). Bounded on the NE., by the National Road; on the SW., by Lot 1; and on the NW., by property of Ponciano Viloria. Point "1" is S. 1 deg. 31 min. E., 854.76 meters from BLLM 3, Narvacan, Ilocos Sur. Area seven hundred seventeen (717) square meters, more or less.

8. A parcel of land (Lot 8, plan Psu-141715). Bounded on the NE., by Lot 1 and the National Road; and on the SW. and NW., by Lot 1. Point "1" is S. 2 deg. 30 min. E., 946.82 meters from BLLM 3, Narvacan, Ilocos Sur. Area two thousand five hundred forty four (2,544) square meters, more or less.

9. A parcel of land (Lot 9, plan Psu-141715). Bounded on the NE., by Lot 1 and the National Road; on the SW., by Lot 10 claimed by Enrique Quema; and on the NW., by Lot 1. Point "1" is S. 3 deg. 39 min. E., 1,087.48 meters from BLLM 3, Narvacan, Ilocos Sur. Area three thousand six hundred thirty three (3,633) square meters, more or less.

10. A parcel of land (Lot 10, plan Psu-141715). Bounded on the NE., by Lot 1 and Lot 9, claimed by Juan Chan Liecco and the National Road; and on the SW. and NW., by Lot 1. Point "1" is S. 3 deg. 39 min. E., 1,087.48 meters from BLLM 3, Narvacan, Ilocos Sur. Area two thousand nine hundred eighty nine (2,989) square meters, more or less.

11. A parcel of land (Lot 11, plan Psu-141715). Bounded on the NE. and NW., by Lot 1; on the E., by the National Road; on the SE., by Lot 12 claimed by Jose de la Cuadra and Lot 3; on the SW., by Lot 13, claimed by Magno Fortuna, Lot 14 claimed by Segunda Cajalvo or Cejalvo; Lot 15, claimed by Genara Cachola, Lot 5 and Lot 6 claimed by Anastacia Casañas. Point "1" is S. 3 deg. 55 min. E., 1,128.37 meters

from BLLM 3, Narvacan, Ilocos Sur. Area four thousand two hundred ninety three (4,293) square meters, more or less.

12. A parcel of land (Lot 12, plan Psu-141715). Bounded on the SE., by Lot 2; on the S., by Lot 3; and on the NW., by Lot 3 and Lot 11 (claimed by Justino Cabe). Point "1" is S. 3 deg. 55 min. E., 1,128.37 meters from BLLM 3, Narvacan, Ilocos Sur. Area two hundred fifty six (256) square meters, more or less.

13. A parcel of land (Lot 13, plan Psu-141715). Bounded on the NE., by Lot 11 claimed by Justino Cabe; on the SE., by Lot 3 and property of Magno Fortuna; and on the NW., by Lot 4. Point "1" is S. 0 deg. 06 min. E., 1,166.25 meters from BLLM 3, Narvacan, Ilocos Sur. Area five hundred (500) square meters, more or less.

14. A parcel of land (Lot 14, plan Psu-141715). Bounded on the NE., by Lot 11, (claimed by Justino Cabe); on the SE., by Lot 4 and property of Segunda Cejalvo; and on the NW., by Lot 15 (claimed by Genara Cachola). Point "1" is S. 1 deg. 04 min. W., 1,171.54 meters from BLLM 3, Narvacan, Ilocos Sur. Area five hundred fifty four (554) square meters, more or less.

15. A parcel of land (Lot 15, plan Psu-141715). Bounded on the NE., by Lot 11 (claimed by Justino Cabe); on the SE., by Lot 14 (claimed by Segunda Cajalvo) and property of Genara Cachola; and on the NW., by Lot 5. Point "1" is S. 1 deg. 04 min. W., 1,171.54 meters from BLLM 3, Narvacan, Ilocos Sur. Area five hundred ninety eight (598) square meters, more or less.

16. A parcel of land (Lot 16, plan Psu-141715). Bounded on the NE., by Lot 11 (claimed by Justino Cabe); on the SE., by Lot 5 and property of Anastacia Casañas or Casañas; and on the NW., by Lot 1. Point "1" is 5 deg. 50 min. W., 1,198.72 meters from BLLM 3, Narvacan, Ilocos Sur. Area two thousand three hundred forty seven (2,347) square meters, more or less.

17. A parcel of land (Lot 17, plan Psu-141715). Bounded on the N., SE. and W., by Lot 1; and on the S., by property of Juan Chan Liecco. Point "1" is S. 8 deg. 23 min. W., 1,217.06 meters from BLLM 3, Narvacan, Ilocos Sur. Area one hundred sixty eight (168) square meters, more or less.

18. A parcel of land (Lot 18, plan Psu-141715). Bounded on the N., E. and W., by Lot 1; on the SE. and SW., by properties of Pedro Cabatu & Telesforo Cabagua. Point "1" is S. 11 deg. 10 min. W., 1,240.83 meters from BLLM 3, Narvacan, Ilocos Sur. Area nine hundred thirty two (932) square meters, more or less.

19. A parcel of land (Lot 19, plan Psu-141715). Bounded on the N., by Lot 20 (claimed by Francisca Cabatu); on the SE., by Lot 25 (claimed by Paz Villanueva); on the S., by Lot 1; and on the SW., by property of Simplicia Cabatu. Point "1" is S. 14 deg. 28 min. W., 1,095.30 meters from

BLLM 3, Narvacan, Ilocos Sur. Area one thousand eleven (1,011) square meters, more or less.

20. A parcel of land (Lot 20, plan Psu-141715). Bounded on the N., by Lot 6, Lot 21 (claimed by Josefina Florendo Vda. de Festejo), Lot 22 (claimed by Pedro Cabe), Lot 25 (claimed by Paz Villanueva), Lot 23 (claimed by Pedro Cabatu) and Lot 24 (claimed by Maximina Cacas-Cacho); on the E., by Lot 25 (claimed by Paz Villanueva); on the S., by Lot 19 (claimed by Simplicia Cabatu); and on the SW., by property of Francisca Cabatu. Point "1" is S. 14 deg. 28 min. W., 1,095.30 meters from BLLM 3, Narvacan, Ilocos Sur. Area two thousand one hundred thirty nine (2,139) square meters, more or less.

21. A parcel of land (Lot 21, plan Psu-141715). Bounded on the N., SE. and NW., by lot; 6 and on the S., by Lot 20 (claimed by Francisca Cabatu). Point "1" is S. 12 deg. 29 min. W., 945.22 meters from BLLM 3, Narvacan, Ilocos Sur. Area one thousand three hundred sixteen (1,316) square meters, more or less.

22. A parcel of land (Lot 22, plan Psu-141715). Bounded on the SE., by Lot 25 (claimed by Paz Villanueva); on the S., by Lot 20 (claimed by Francisca Cabatu); and on the NW., by Lot 6 and property of Pedro Cabe. Point "1" is S. 11 deg. 08 min. W., 912.62 meters from BLLM 3, Narvacan, Ilocos Sur. Area one thousand four hundred thirty-three (1,433) square meters, more or less.

23. A parcel of land (Lot 23, plan Psu-141715). Bounded on the N. and NW., by Lot 25 (claimed by Paz Villanueva); on the SE., by Lot 24 (claimed by Maximina Casas Cachola); and on the S., by Lot 20 (claimed by Francisca Cabatu). Point "1" is S. 10 deg. 17 min. W. 930.12 meters from BLLM 3, Narvacan, Ilocos Sur. Area nine hundred fifty six (956) square meters, more or less.

24. A parcel of land (Lot 24, plan Psu-141715). Bounded on the N. and SE., by Lot 25 (claimed by Paz Villanueva); on the S., by Lot 20 (claimed by Francisca Cabatu); and on the NW., by Lot 23 (claimed by Pedro Cabatu). Point "1" is S. 10 deg. 17 min. W., 930.12 meters from BLLM 3, Narvacan, Ilocos Sur. Area two thousand thirty two (2,032) square meters, more or less.

25. A parcel of land (Lot 25, plan Psu-141715). Bounded on the N., by Lot 1; on the SE., by Lot 1, and Lot 26 (claimed by Nemesio Cachola); on the SW., by Lot 1, Lot 19 (claimed by Simplicia Cabatu), Lot 20 (claimed by Francisca Cabatu), Lot 24 (claimed by Maximina Cacas Cacho) and Lot 23 (claimed by Pedro Cabatu); and on the NW., by Lot 22 (claimed by Pedro Cabe) and property of Paz Villanueva. Point "1" is S. 11 deg. 08 min. W., 912.62 meters from BLLM 3, Narvacan, Ilocos Sur. Area seven thousand one hundred eighty-two (7,182) square meters, more or less.

26. A parcel of land (Lot 26, plan Psu-141715). Bounded on the NE., SE. and SW., by Lot 1; and on the W., by Lot 25 (claimed by Paz Villanueva). Point "1" is S. 9 deg. 00 min. W., 1,161.21 meters from BLLM 3, Narvacan, Ilocos Sur. Area two thousand five hundred eighty nine (2,589) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Ilocos Sur, at its session to be held in the Municipality of Narvacan, Province of Ilocos Sur, Philippines, this 3rd day of September, 1975, at 8:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Zoilo Aguinaldo, Judge of said Court, the 30th day of January, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest:

GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF LAGUNA

Land Registration Case No. C-62  
LRC Record No. N-47039

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. IV-5, Sta. Cruz, Laguna; the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor, the Municipal Council, Los Baños, Laguna; the Heirs of Simplicio Mulimbayan, Felipa Mina, Tomas Ilagan, San Antonio, Los Baños, Laguna; and to all whom it may concern:

Whereas, an application has been presented to this Court by Maura Mulimbayan Vda. de Agudo, Heirs of Eugenio Agudo, Heirs of Policarpio Mulimbayan, represented by Maura Mulimbayan Vda. de Agudo, San Antonio, Los Ba-



ños, Laguna, to register and confirm their title to the following properties:

Two (2) parcels of land with the improvements thereon, situated in the Barrio of San Antonio, Municipality of Los Baños, Province of Laguna. The boundaries and areas of said parcels are as follows:

1. A parcel of land (plan Psu-242625). Bounded on the N., by property of Felipa Mina; on the E., by properties of the spouses Eugenio Agudo and Maura Agudo; on the SW., by the Provincial Road; and on the W., by property of Simplicio Mulimbayan. Point "1" is S. 85 deg. 50 min. E., 2,610.75 meters from BLLM 1, Los Baños, Laguna. Area four hundred forty-six (446) square meters, more or less.

2. A parcel of land (plan-Psu-242626). Bounded on the N., by property of Felipa Mina; on the NE., by property of Tomas Ilagan; on the SE., by the Provincial Road; and on the W., by property of Policarpio Mulimbayan. Point "1" is 85 deg. 50 min. E., 2,610.76 meters from BLLM 1, Los Baños, Laguna. Area four hundred twenty-two (422) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Laguna, at its session to be held in the Municipality of Calamba, Province of Laguna, Philippines, on the 17th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause if you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Severo A. Malvar, Judge of said Court, the 13th day of May, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
[24.25] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF LA UNION

Land Registration Case No. N-1517  
LRC Record No. N-46994

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the

Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. I-I, the Municipal Mayor, the Municipal Council, San Fernando, La Union; Juanita Guerra, Veneranda de Soto, Faustina Munar, Abelardo Jacalan, Eusebia Pascual, Sevilla, San Fernando, La Union; and to all whom it may concern:

Whereas, an application has been presented to this Court by the Spouses Juan Catbagan, Jr., and Estrella M. Catbagan, Sevilla Norte, San Fernando, La Union, thru Atty. Pedro O. Arciaga, San Fernando, La Union, to register and confirm their title to the following property:

A parcel of land (plan Psu-255023), situated in the Barrio of Sevilla, Municipality of San Fernando, Province of La Union. Bounded on the N. by property of Juanita Guerra; on the E. by a Callejon and beyond by property of Eusebia Pascual; on the S. by property of Veneranda de Soto; and on the W. by property of Abelardo Jacalan (before) Faustina Munar (now). Point "1" is S. 1 deg. 35 min. E., 944.16 meters from BLLM 1, San Fernando, La Union. Area two hundred four (204) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of La Union, at its session to be held in the Municipality of San Fernando, Province of La Union, Philippines, on the 17th day of October, 1975, at 8:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Angel A. Daquigan, Judge of said Court, the 24th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
[24.25] Acting Chief, Docket Division



REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF LA UNION

Land Registration Case No. N-90-Bg  
LRC Record No. N-47034

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. 1-1. San Fernando, La Union; the Municipal Mayor, the Municipal Council, Bauang, La Union; Marcela Hipona Sabado, Bacuit, Bauang, La Union; Herminia Santos Concepcion, 21 Tanguile St., North Forbes Park, Makati, Rizal and to all whom it may concern:

Whereas, an application has been presented to this Court by Jose Concepcion, Sr., 21 Tanguile St., North Forbes Park, Makati, Rizal assisted by Atty. Florante C. de la Cruz, San Fernando, La Union to register and confirm his title to the following property:

A parcel of land (Lot 1, plan Psu-1-001383), situated in the Barrio of Bacuit, Municipality of Bauang, Province of La Union. Bounded on the N. by property of Jose Concepcion, Sr.; on the E. and S. by property of Marcela Hipona Sabado; and on the W. by Lot 2 (Salvage Zone Portion). Point "1" is N. 26 deg. 52 min. W., 2,613.66 meters from BLLM 1, Bauang, La Union. Area one hundred seventy-four (174) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of La Union, at its session to be held in the Municipality of Bauang, Province of La Union, Philippines, on the 20th day of August, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Romeo N. Firme, Judge of said Court, the 6th day of June, in the year 1975.

Issued at Quezon City, Philippines, this 16th day of May, 1975.

Attest:

GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
[24, 25] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE  
OF NUEVA VIZCAYA

Land Registration Case No. N-203  
LRC Record No. N-47001

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. II-3, Bayombong, Nueva Vizcaya; the Municipal Mayor, the Municipal Council, Victoria Manuel, the Heirs of Conrado Manuel and Aniceto Cuesta, Bambang, Nueva Vizcaya; and to all whom it may concern:

Whereas, an application has been presented to this Court by Johnny Lorenzo, Bambang, Nueva Vizcaya, thru Atty. Vicente V. Duque, Bayombong Nueva Vizcaya, to register and confirm his title to the following property:

A parcel of land (Lot 2, plan Psu-2-03-000169), with the building and improvements thereon, situated in the Poblacion, Municipality of Bambang, Province of Nueva Vizcaya. Bounded on the N., by Lot 1, property of Conrado Manuel; on the E., by Hard street; on the S., by property of Aniceto Cuesta; and on the W., by Lot 1, property of Conrado Manuel. Point "1" is N. 72 deg. 42 min. E., 276.86 meters from BLLM 1, Bambang, Nueva Vizcaya. Area ninety (90) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Nueva Vizcaya, at its session to be held in the Municipality of Bayombong, Province of Nueva Vizcaya, Philippines, on the 21st day of October, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be

forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Jesus P. Arlegui, Judge of said Court, the 10th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
[24.25] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE  
OF NUEVA VIZCAYA

Land Registration Case No. N-204  
LRC Record No. N-47002

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. II-3, Bayombong, Nueva Vizcaya; the Municipal Mayor, the Municipal Council, Aniceto Cuesta, Johnny Lorenzo, Pedro Sierra, Vidal Lubong, Marcelo Gonzales, Bambang, Nueva Vizcaya; and to all whom it may concern:

Whereas, an application has been presented to this Court by Juana Gaffuy Vda. de Manuel, Bambang, Nueva Vizcaya, thru Atty. Vicente V. Duque, Bayombong, Nueva Vizcaya, to register and confirm her title to the following property:

A parcel of land (Lot I, plan Psu-2-03-000169), with the building and improvements thereon, situated in the Poblacion, Municipality of Bambang, Province of Nueva Vizcaya. Bounded on the N. by the Municipal Road; on the E. by Lara Street; on the SE. by property of Johnny Lorenzo; on the S. by property of Aniceto Cuesta; and on the SW. by properties of Pedro Sierra and Marcelo Gonzales. Point "1" is N. 69 deg. 53 min. E., 254.32 meters from BLLM 1, Bambang, Nueva Vizcaya. Area five hundred twelve (512) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Nueva Vizcaya, at its session to be held in the Municipality of Bayombong, Province of Nueva Vizcaya, Phil-

ippines, on the 14th day of October, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Gabriel Dunuan, Judge of said Court, the 1st day of April, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
[24.25] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF PAMPANGA

Land Registration Case No. N-1225  
LRC Record No. N-46611

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. III., San Fernando, Pampanga; the Municipal Mayor, the Municipal Council, Digna C. Reyes Gervacio Limjoco, Aurora Limjoco de Evangelista, Lazara Vda. de Limjoco, Ma. Carmen Arroyo Castor, Candaba, Pampanga; Violeta Gueco Arroyo, 14 Hillside Loop, Blue Ridge, Quezon City; and to all whom it may concern:

Whereas, an application has been presented to this Court by Zosimo E. Arroyo, 14 Hillside Loop, Blue Ridge, Quezon City, to register and confirm his title to the following property:

A parcel of land (Lot 1467, Pls-476, Candaba Public Land Subdivision, plan As-03-000174), situated in the Barrio of San Agustin, Municipality of Candaba, Province of Pampanga. Bounded on the N. and NW. by property of Lazara Vda. de Limjoco; on the NE. by property of Gervacio Limjoco; on the SE. by property of Digna C. Reyes; and on SW. by properties of Ma. Carmen Arroyo Castor, Aurora Limjoco de Evangelista and Lot 4617 (Public Land). Point "1" is S. 46 deg. 02

min. E., 3,488.83 meters from BLLM 1, Pls-476, Candaba Public Land Subdivision. Area seven hundred ninety two thousand five hundred forty four (792,544) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Pampanga, at its session to be held in the Municipality of San Fernando, Province of Pampanga, Philippines, on the 8th day of August, 1975, at 9:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Isaac S. Puno, Jr., Presiding Judge of said Court, the 3rd day of June, in the year, 1975.

Issued at Quezon City, Philippines, this 9th day of June, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
[24, 25] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE  
OF PANGASINAN

Land Registration Case No. U-796  
LRC Record No. N-46414

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, Lingayen, Pangasinan; the 2nd Pangasinan Highway District Engineer, Rosales, Pangasinan; the District Land Office No. 1-7, Dagupan City; the Municipal Mayor, the Municipal Council, Urdaneta, Pangasinan; Alejandro Pabaera, Anacleto Roque, Julio delos Santos, Severino Pablo or Pabo, Juan Taaca, Casimiro Taaca and Lotia Agapito, Sto. Domingo, Urdaneta, Pangasinan; and to all whom it may concern:

Whereas, an application has been presented to this Court by Jose Taclas, Barrio Sto. Domingo, Urdaneta, Pangasinan, thru Atty. Dionisio C. Antiniw, Urdaneta, Pangasinan, to register and confirm his title to the following property:

A parcel of land (plan Psu-158325), situated in the Barrio of Palina, Municipality of Urdaneta, Province of Pangasinan. Bounded on the N. by property of Alejandro Pabaera; on the E. by properties of Alejandro Pabaera and Anacleto Roque; on the SE. by properties of Julio delos Santos and Severino Pablo or Pabo; on the S. by property of Juan Taaca; and on the W. & NW. by property of Casimiro Taaca. Point "1" is S. 24 deg. 45 min. W., 2,302.11 meters from BLLM 1, Nancayasan, Urdaneta, Pangasinan. Area six thousand seven hundred fifty-eight (6,758) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Pangasinan, at its session to be held in the Municipality of Urdaneta, Province of Pangasinan, Philippines, on the 7th day of November, 1975, at 8:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Angel P. Bacani, Judge of said Court, the 5th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
[24, 25] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF  
PANGASINAN

Land Registration Case No. U- 799  
LRC Record No. N-46636

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, Lingayen, Pangasinan; the 2nd Pangasinan Highway District Engineer, Rosales, Pangasinan; the District Land Office No. 1-7, Dagupan City; the Municipal Mayor, the Municipal Council, Segundo Carulla, Anastacio Galla-

nuggo, Dionisia Lomboy, Filomena Agustin, Pedro Sumapit, San Manuel, Pangasinan; Dominga Rebodas, Cabaritan, San Manuel, Pangasinan; Espirita Navarrete, Coldit, Asingan, Pangasinan; the Heirs of Victoriano Ramos, % Antonio Ramos, Segundo dela Cruz and Facundo delos Trino, San Juan, San Manuel, Pangasinan; and to all whom it may concern:

Whereas, an application has been presented to this Court by Felix Gallero, Cabaritan, San Manuel, Pangasinan and Antonio Ramos, Coldit, Asingan, Pangasinan, thru Atty. Ulysses Raciles, Butuyan, Asingan, Pangasinan, to register and confirm their title to the following property:

A parcel of land (Lot 4789, Cad. 3, San Manuel Cadastre, plan Ap-22139), situated in the Barrio of San Juan, Municipality of San Manuel, Province of Pangasinan. Bounded on the NE. by properties of Dionisia Lomboy and Filomena Agustin; on the SW., by properties of Victoriano Ramos and Segundo Carulla; and on the NW. by Colabong creek. Point "1" is S. 75 deg. 45 min. E., 123.70 meters from BBM 20, Cad. 3, San Manuel Cadastre. Area six thousand four hundred fifty-six (6,456) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Pangasinan, at its session to be held in the Municipality of Urdaneta, Province of Pangasinan, Philippines, on the 12th day of November, 1975, at 8:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Angel P. Bacani, Judge of said Court, the 20th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
[24, 25] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF  
PANGASINAN

Land Registration Case No. U-301  
LRC Record No. N-46796

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visa-

yas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, Lingayen, Pangasinan; the 2nd Pangasinan Highway District Engineer, Rosales, Pangasinan; the District Land Office No. 1-7, Dagupan City; the Municipal Mayor, the Municipal Council, Binalonan, Pangasinan; Alfredo Monico, Raymundo Fernandez, Severino Opana, Alejandro Macabeo, Barrio Tabuyoc, Binalonan, Pangasinan; and to all whom it may concern:

Whereas, an application has been presented to this Court by Antonio F. Desamito, Barrio Tabuyoc, Binalonan, Pangasinan, thru Atty. Teodorico B. Estrada, Binalonan, Pangasinan, to register and confirm his title to the following property:

A parcel of land (plan Psu-250992), situated in the Barrio of Tabuyoc, Municipality of Binalonan, Province of Pangasinan. Bounded on the N. by a Barrio Road; on the E. by property of Alfredo Monico; on the SE. by property of Raymundo Fernandez; and on the W. by property of Severino Opana. Point "1" is S. 2 deg. 21 min. W., 3,838.12 meters from BLLM 1, Binalonan, Pangasinan. Area four hundred seventy seven (477) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Pangasinan, at its session to be held in the Municipality of Urdaneta, Province of Pangasinan, Philippines, on the 14th day of November, 1975, at 8:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Angel P. Bacani, Judge of said Court, the 7th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
[24, 25] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF  
PANGASINAN

Land Registration Case No. D-1438  
LRC Record No. N-46965

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the

Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the 1st Pangasinan Highway District Engineer, Lingayen, Pangasinan; the District Land Office No. I-7, Dagupan City; the Municipal Mayor, the Municipal Council, Gaudencio Ferrer, Felipe Jutie, Ramon Torres, Lorenzo Salinas, Juan Estrada, Marcela Ferrer, Felipe Dioquino, Victor Peralta, Emilia Ventanilla, Manuel Episcopo, Maximo Jutie, Irineo Episcopo, Faustina Jutie, Francisca Episcopo, Juan Robosa and Federico Soriano, Calasiao, Pangasinan; and Eleuterio Baruelo, Polo, Bulacan; and to all whom it may concern:

Whereas, an application has been presented to this Court by spouses Roman F. Jutie and Balbina Ferrer, Longos, Calasiao, Pangasinan, to register and confirm their title to the following properties:

1. A parcel of land (Lot 1, plan Psu-209415, Sheet 1), situated in the Barrio of Talibeo, Municipality of Calasiao, Province of Pangasinan. Bounded on the NE. by property of Lorenzo Salinas; on the SE. by properties of Juan Estrada, Marcela Ferrer; and Maximo Jutie; on the SW. by property of Gaudencio Ferrer; and on the NW. by properties of Felipe Jutie and Ramon Torres. Point "1" is S. 44 deg. 37 min. E., 1,971.59 meters from BLLM 1, Calasiao, Pangasinan. Area seven thousand one hundred thirty one (7,131) square meters, more or less.

2. A parcel of land (Lot 2, plan Psu-209415, Sheet 2), situated in the Barrio of Longos, Municipality of Calasiao, Province of Pangasinan. Bounded on the NE. by property of Emilia Ventanilla; on the SE. by a Callejon; on the SW. by the Provincial Road; and on the NW. by properties of Felipe Dioquino and Victor Peralta. Point "1" is S. 19 deg. 58 min. E., 1,360.38 meters from BLLM 1, Calasiao, Pangasinan. Area three thousand five hundred ninety one (3,591) square meters, more or less.

3. A parcel of land (Lot 3, plan Psu-209415, Sheet 2), situated in the Barrio of Longos, Municipality of Calasiao, Province of Pangasinan. Bounded on the NE. by property of Gaudencio Ferrer; on the SE. by property of Irineo Episcopo; on the SW. by property of Faustina Jutie; and on the NW. by property of Manuel Episcopo. Point "1" is S. 6 deg. 10 min. E., 1,503.62 meters from BLLM 1, Calasiao, Pangasinan. Area six thousand five hundred ninety four (6,594) square meters, more or less.

4. A parcel of land (Lot 4, plan Psu-209415, Sheet 2), situated in the Barrio of Longos, Municipality of Calasiao, Province of Pangasinan. Bounded on the N. and NE. by property of Gaudencio Ferrer; on the SE. by properties of Eleuterio Baruelo, Gaudencio Ferrer, Maximo Jutie and Francisca Episcopo; on the SW. by property of Federico Soriano; and on the NW. by Lot 5. Point "1" is S. 10 deg. 52 min. E., 1,772.28 meters from BLLM 1, Calasiao, Pangasinan. Area ten thousand one hundred fifty two (10,152) square meters, more or less.

5. A parcel of land (Lot 5, plan Psu-209415, Sheet 2), situated in the Barrio of Longos, Municipality of Calasiao, Province of Pangasinan. Bounded on the N. by property of Gaudencio Ferrer; on the SE. by Lot 4; on the SW. by property of Federico Soriano; and on the NW. by the Maros River. Point "1" is S. 10 deg. 15 min. E., 1,669.50 meters from BLLM 1, Calasiao, Pangasinan. Area five hundred seventy eight (578) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Pangasinan, at its session to be held in the City of Dagupan, Philippines, on the 25th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Felipe P. de Vera, Executive Judge of said Court, the 16th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest:

GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
Acting Chief, Docket Division

[24, 25]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF  
PANGASINAN

Land Registration Case No. D-1439  
LRC Record No. N-47006

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the 1st

Pangasinan Highway District Engineer, Lingayen, Pangasinan; the District Land Office No. I-7, Dagupan City; the Municipal Mayor, the Municipal Council, Proceso Cabatbat and Elpidio Roy, Calasiao, Pangasinan; Felicidad Agas and Filomena Galivo, Bo. Gabon, Calasiao, Pangasinan; and to all whom it may concern:

Whereas, an application has been presented to this Court by Jose Bauzon, Bo. Gabon, Calasiao, Pangasinan, to register and confirm his title to the following property:

A parcel of land (Lot 3961, Calasiao Cadastre, Cad.-439-D, Case 5, plan As-1-00035), with the building and improvements thereon, situated in the Barrio of Gabon, Municipality of Calasiao, Province of Pangasinan. Bounded on the NE. by property of Proceso Cabatbat; on the SE. by property of Elpidio Roy; on the SW. by a Callejon; and on the NW. by MacArthur Highway. Point "1" is N. 61 deg. 51 min. E., 1,094.69 meters from BLLM 1, Calasiao Cadastre, Cad. 439-D. Area six hundred forty six (646) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Pangasinan, at its session to be held in the City of Dagupan, Philippines, on the 1st day of October, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Felipe P. de Vera, Executive Judge of said Court, the 23rd day of April, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest:

GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
Acting Chief, Docket Division

[24, 25]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF QUEZON

Land Registration Case No. G-204  
LRC Record No. N-46977

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform,

Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. IV-3, Lucena City; the Municipal Mayor, the Municipal Council, Juan Aurellana, Pedro Aurellana, Victoriano Aurellana, Felix Aurellana and Quirino Culla, San Narciso, Quezon; and to all whom it may concern:

Whereas, an application has been presented to this Court by Felicisima Rellesiva, San Narciso, Quezon, thru Atty. Natalio T. Paril, Jr., Gumaca, Quezon, to register and confirm her title to the following property:

A parcel of land (plan Psu-243043), with the building and improvements thereon, situated in the Poblacion, Municipality of San Narciso, Province of Quezon. Bounded on the N. by property of Felix Aurellana, et al.; on the E. by A. Mabini Street; on the S. by property of Pedro Aurellana; and on the W. by property of Quirino Culla. Point "1" is S. 73 deg. 03 min. W., 98.73 meters from BLLM 2, Pls-413-D, San Narciso Public Land Subdivision. Area one hundred fifty two (152) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Quezon, at its session to be held in the Municipality of Gumaca, Province of Quezon, Philippines, on the 16th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Mapalad A. Nañadiego, Judge of said Court, the 21st day of April, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest:

GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
Acting Chief, Docket Division

[24, 25]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF QUEZON

Land Registration Case No. N-G-206  
LRC Record No. N-47007

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Vis-

yas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. IV-3, Lucena City; the Municipal Mayor, the Municipal Council, Heirs of Francisco Rabe, Santiago O. Rivera, Francisco Urgino, Agapito Fontamillas, Angelo Menchero or Mendero, San Narciso, Quezon; and to all whom it may concern:

Whereas, an application has been presented to this Court by Salud Fontelara, San Narciso, Quezon, thru Atty. Natalio T. Paril, Jr., Atimenan, Quezon, to register and confirm her title to the following property:

A parcel of land (plan Psu-04-002369), situated in the Poblacion, Municipality of San Narciso, Province of Quezon. Bounded on the N. by property of the Heirs of Francisco Rabe; on the NE. by property of Agapito Fontamillas; on the S. by property of Angelo Menchero; or Mendero; and on the W. by M. Ramos Street. Point "1" is S. 74 deg. 58 min. E., 151.43 meters from BLLM 1, Pls-413-D, San Narciso Public Land Subdivision. Area one hundred fifty-eight (158) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Quezon, at its session to be held in the Municipality of Gumaca, Province of Quezon, Philippines, on the 15th day of October, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Juan B. Montecillo, Judge of said Court, the 29th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
[24, 25] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No. N-8211

LRC Record No. N-44105

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the

District Land Office No. IV-1, 757 Gen. Solano, San Miguel, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer and the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor, the Municipal Council, the Heirs of Apolonio Ocol, Enrique Isagon, Francisca C. Quilatan, Simeon or Semion Juta, Pedro Sarmiento, Esteban Manipon or Maglipon, Miguel Sanña, Nicanor G. Lontok, C.A. Lontok, Tomas Vicencio, Teresita P. de Vicencio, Pedro Bonifacio, Gregorio Ramos and Pablo Sanga, Taguig, Rizal; Lucila C. Mabilin, Calzada, Taguig, Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by Sofia B. Vicencio, Leticia O. Vicencio and Marcelino O. Vicencio, Taguig, Rizal, thru Atty. Artemio B. Mallare, 343 F. Roxas, Grace Park, Calcoan City, to register and confirm their title to the following properties:

Seven (7) parcels of land with the improvements thereon, situated in the Barrio de Calzada, Municipality of Taguig, Province of Rizal. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 3, plan Psu-246508, Sheet 1). Bounded on the NE., by Lot 2; on the SE., by Lot 8; on the SW., by Lot 4; and on the NW., by Lot 11. Point "1" is N. 37 deg. 19 min. E., 1,039.10 meters from BLLM 1, Taguig, Rizal. Area one thousand three hundred forty-two (1,342) square meters, more or less.

2. A parcel of land (Lot 4, plan Psu-246508 Sheet 1). Bounded on the NE., by Lot 3; on the SE., by Lot 9; on the SW., by Lot 5; and on the NW., by Lot 11. Point "1" is N. 37 deg. 16 min. E., 1,026.02 meters from BLLM 1, Taguig, Rizal. Area two thousand one hundred thirty eight (2,138) square meters, more or less.

3. A parcel of land (Lot 5, plan Psu-246508, Sheet 1). Bounded on the NE., by Lots 11 and 4; on the SE., by Lot 10; on the SW., by property of Enrique Isagon; and on the NW., by P. Burgos Street. Point "1" is N. 36 deg. 07 min. E., 981.78 meters from BLLM 1, Taguig, Rizal. Area two thousand one hundred ninety-nine (2,199) square meters, more or less.

4. A parcel of land (Lot 8, plan Psu-246508, Sheet 1). Bounded on the NE., by Lot 7; on the SE., by a creek; on the SW., by Lot 9; and on the NW., by Lot 3. Point "1" is N.



41 deg. 44 min. E., 1,034.75 meters from BLLM 1, Taguig, Rizal. Area one hundred forty-nine (149) square meters, more or less.

5. A parcel of land (Lot 9, plan Psu-246508, Sheet 1). Bounded on the NE., by Lot 8; on the SE., by a creek; on the SW., by Lot 10; and on the NW., by Lot 4. Point "1" is N. 41 deg. 44 min. E., 1,034.75 meters from BLLM 1, Taguig, Rizal. Area ninety nine (99) square meters, more or less.

6. A parcel of land (Lot 10, plan Psu-246508, Sheet 1). Bounded on the NE., by Lot 9; on the SE., by a creek; and on the NW., by Lot 5. Point "1" is N. 40 deg. 57 min. E., 997.22 meters from BLLM 1, Taguig, Rizal. Area thirty-nine (39) square meters, more or less.

7. A parcel of land (Lot 12, plan Psu-246508, Sheet 2). Bounded on the N., by a creek; on the NE., by properties of Francisca C. Quilatan and Simeon or Semion Juta; on the SE., and S., by property of Pedro Sarmiento; and on the SW., by properties of Esteban Manipon or Maglipon (now) Nicanor J. Lontoc & C.A. Lontoc and Miguel Sañga. Point "1" is N. 47 deg. 07 min. E., 1,002.76 meters from BLLM 1, Taguig, Rizal. Area two thousand three hundred ninety-four (2,394) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Rizal, at its session to be held at the Hall of Justice, Provincial Capitol Compound, Municipality of Pasig, Province of Rizal, Philippines, on the 19th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Emilio V. Salas, Presiding Judge, Branch I of said Court, the 25th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
[24, 25] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No. N-8674  
LRC Record No. N-46622

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands,  
the Director of Public Works, Manila; the

District Land Office No. IV-1, Gen. Solano, San Miguel, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor, the Municipal Council, Binangonan, Rizal; Silverio Ramirez, Sabina Vocalan or Bocalan, Gabriel Obiadadas, Tayuman, Binangonan, Rizal; Rosalina Francisco and Teofilo Villamayor, Angono, Rizal; Macario Aragosa, Tagpos, Tayuman, Binangonan, Rizal; and Beatriz Francisco, 934 Matimyas St., Sampaloc, Manila; and to all whom it may concern:

Whereas, an application has been presented to this Court by Jose C. Roque, 934 Matimyas St., Sampaloc, Manila; assisted by Atty. Eliodoro G. Ubiadas, 3rd Floor, Far East Bldg., Buendia, Avenue, Makati, Rizal, to register and confirm his title to the following property:

A parcel of land (Lot 1, plan Psu-248665), with the improvements thereon, situated in the Barrio of Tayuman, Municipality of Binangonan, Province of Rizal. Bounded on the NE., by properties of Silverio Ramirez and Rosalina Francisco; on the SE., by property of Rosalina Francisco; on the SW., by National Highway to Manila and property of Sabina Vocalan or Bocalan; and on the NW., by property of Silverio Ramirez; Point "1" is N. 44 deg. 43 min. W., 1,857.70 meters from BLLM 2, Darangan, Binangonan, Rizal. Area five thousand one hundred eighty-four (5,184) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Rizal, at its session to be held in the Municipality of Pasig, Province of Rizal, Philippines, on the 14th day of November, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Gregorio G. Pineda, Judge of said Court, the 24th day of April, in the year 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
[24, 25] Acting Chief, Docket Division



REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No. N-8768  
LRC Record No. N-47008

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the District Land Office No. IV-1, 757 Gen. Solano, San Miguel, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor, and the Municipal Council, Taguig, Rizal; Lino Jose, the Heirs of Jose Reyes or Rayos del Sol; Monica Lorenzo, Monica Vda. de Carlos, Honcrata Carlos, Maria Carlos, Virginia Carlos, Amparo Carlos, Isaac Carlos, Amado Carlos and Mamerta Carlos, Ususan, Taguig, Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by Jacinto Carlos, Ususan, Taguig, Rizal, assisted by Atty. Manuel E. Dimaguila, Rm. 303 Medalla Bldg., 596 E. delos Santos Avenue, Cubao, Quezon City, to register and confirm his title to the following properties:

Two (2) parcels of land with the building and improvements thereon, situated in the Barrio of Ususan, Municipality of Taguig, Province of Rizal. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 1, plan Psu-186619). Bounded on the NE and SE. by property of the Heirs of Jose Reyes or Rayos del Sol; on the SW. by Lot 2; and on the NW. by property of Lino Jose. Point "1" is N. 33 deg. 51 min. W., 1,078.12 meters from BLLM 1, Taguig, Rizal. Area one hundred thirty-six (136) square meters, more or less.

2. A parcel of land (Lot 2, plan Psu-186619). Bounded on the NE. by Lot 1; on the SE. by property of the Heirs of Jose Reyes or Rayos del Sol; on the SW. by General Luna Street (National Road); and on the NW. by property of Lino Jose. Point "1" is N. 33 deg. 51 min. W., 1,078.12 meters from BLLM 1, Taguig, Rizal. Area one hundred forty-nine (149) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Rizal, at its session to be held at Branch VIII, Municipality of Pasig, Province of Rizal, Philippines, on the

2nd day of October, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Serafin E. Camilon, Judge of said Court, the 24th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
[24, 25] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No. N-8786  
LRC Record No. N-47011

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the District Land Office No. IV-1, 757 Gen. Solano, San Miguel, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer and the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor, the Municipal Council, Pedro Sumulong, Leonora Sumulong, Leoniza Sierra and Gregorio Bravo, Antipolo, Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by Felix B. Marinas, Cristimar Village, Antipolo, Rizal, thru Atty. Leonardo C. Rodriguez, Rosal St., Bayanihan Village, Cainta, Rizal, to register and confirm his title to the following properties:

Two (2) parcels of land with the improvements thereon, situated in the Poblacion, Municipality of Antipolo, Province of Rizal. The boundaries and areas of said parcels are as follows:

1. A parcel of land (plan Psu-156213). Bounded on the E., by property of Pedro Sumulong & Leonora Sumulong; on the SW. and W., by the Provincial Road; and on the NW., by a

Circumferential Road. Point "1" is S. 34 deg. 41 min. E., 901.37 meters from BLLM 1, Antipolo, Rizal. Area seven hundred seventy(770) square meters, more or less.

2. A parcel of land (plan Psu-235658). Bounded on the N., by property of Gregorio Bravo; on the E. and SE., by Callejon Bonifacio; on the S., by Callejon Martinez; and on the W., by property of Leoniza Sierra. Point "1" is S. 62 deg. 55 min. W., 139.32 meters from BLLM 1, Antipolo, Rizal. Area one hundred five (105) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Rizal, at its session to be held at Branch VIII, Municipality of Pasig, Province of Rizal, Philippines, on the 26th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Serafin E. Camilon, Judge of said Court, the 23rd day of April, in the year 1975.

Attest:

GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
Acting Chief, Docket Division

[24, 25]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF CEBU  
FOURTEENTH JUDICIAL DISTRICT  
BRANCH XVI, LAPU-LAPU CITY

CADASTRAL CASE No. 17, LRC REGISTRATION No. 946  
Lots No. 1539 & 1594 Opon Cadastre—Re:  
petition for Reconstitution of Original Certificates of Titles.

FLORENTINO ENTOMA, movant

NOTICE OF HEARING

To: Atty. Ramon Codilla, Lapu-Lapu City; Florentina Entoma, Panganiban St., Cebu City; The Register of Deeds, Lapu-Lapu City; Heirs of Filomena Tumulak, Celedonio Ybanez, Valentin Degollacion, Magdaleno Oyao, Heirs of Tomas Ybanez, Faustino Berdon, Fernando Tampus, Eugenia Yagong, Policarpo Inso, Honorato Bonghanoy and Carlos Dignos, all of Basak, Lapu-Lapu City; Gregorio Muñoz, Casimiro Mansing, Alejandro Mansing and Juan Sumalinog all of Marigondon, Lapu-Lapu City.

GREETINGS:

Please take notice that the petition filed with this Court by Florentino Entoma, thru counsel Atty. Ramon Codilla, seeking for the reconstitution of the Original Certificates of Titles of the aforementioned Lots, is set for hearing on July 15, 1975 at 9:00 o'clock in the morning before the 16th Branch of this Court located at Lapu-Lapu City, Philippines.

Lots Nos. 1539, 1594 and 2178 are situated at barrio Basak, Lapu-Lapu City while Lots Nos. 2975, 3032 and 3397 are situated at barrio Marigondon, Lapu-Lapu City and bounded by the properties of the last 15 aforementioned persons.

You are therefore ordered to appear at the date, time and place of hearing herein designated and to show cause if there is any you have why said petition should not be granted.

Witness the Honorable Ramon E. Nazareno, Presiding Judge of this Court this 10th day of June, 1975, at Lapu-Lapu City, Philippines.

(Sgd.) PATERNO M. ROSAL  
Clerk of Court

[24, 25]

## Kagawaran ng Repormang Pansakahan

(DEPARTMENT OF AGRARIAN REFORM)

REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF AGRARIAN REFORM  
OFFICE OF THE SECRETARY  
DILIMAN, QUEZON CITY

### INVITATION TO BID

Sealed bids, in three (3) copies, on the Boundary, Subdivision and/or Topographic Survey of the following projects will be received by the Secretary, Department of Agrarian Reform, Diliman, Quezon City, not later than 10:00 a.m. on dates herein below indicated:

Projects	Location	Area in Hectares	Date of Bidding (1975)	Period to Complete Survey
<i>PROJECT I-75</i> (Topography) Bukidnon Settlement	Kalilangan-Pangantukan, Bukidnon	35,000	June 24	540
<i>PROJECT II-75</i> (Topography) Neg. Oriental Settlement	Sta. Catalina, Neg. Oriental	9,054.03	June 24	365
<i>PROJECT III-75</i> (Topography) Lanao del Norte Settlement	Kolambogan, Lanao del Norte: Magsaysay, Tangkal	13,000	June 24	365
<i>PROJECT IV-75</i> (Topography) Capiz Settlement	Dumarao, Capiz	15,127	June 24	365
<i>PROJECT V-75</i> (Topography) Dinalupihan Estate	Dinalupihan, Bataan	4,135.60	June 25	180
<i>PROJECT VI-75</i> (Boundary & Subdivision) Barrio Sites:				
a. Bo. San Vicente		22	June 24	120
b. Bo. San Rafael	Agusan del Sur	27.87		
c. Bo. San Agustin		20		
<i>PROJECT VII-75</i> (Topography) Caguray Estate	Mindoro	3,001	June 24	120
<i>PROJECT VIII-75</i> (Topography) Agusan Settlement	Talacogon, Agusan del Sur	16,000	June 24	400
<i>PROJECT IX-75</i> (Topography) Barretto Estate	San Felipe, Zambales	1,004	June 24	90
<i>PROJECT X-75</i> (Topography) Masbate Settlement	Uson, Masbate	8,500	June 24	300
<i>PROJECT XI-75</i> (Boundary and Topography) Lanao del Sur Settlement	Wao, Lanao del Sur	18,000	June 25	400
<i>PROJECT XII-75</i> (Topography) Palawan Settlement	Aborlan, Palawan	25,000	June 25	440
<i>PROJECT XIII-75</i> (Topography) Tinambac-Siruma Settlement	Camarines Sur	12,000	June 25	365
<i>PROJECT IV-75</i> Isabela Settlement	Angadanan, Isabela	8,000	June 25	300

Projects	Location	Area in Hectares	Date of Bidding (1975)	Period to Complete Survey
<i>PROJECT XV-75</i> (Boundary and Subdivision)				
Sto. Tomas Settlement				
a. Solis	Sto. Tomas, Davao	1,300	June 25	270
b. Logan	Sto. Tomas, Davao	910	June 25	270
<i>PROJECT XVI-75</i> (Topography)				
Zobel Estate	Calatagan, Batangas	5,507	June 25	180
<i>PROJECT XVII-75</i> (Topography)				
San Luis Estate	San Luis, Cauayan, Isabela	3,300	June 25	120
<i>PROJECT XVIII-75</i> (Topography)				
Felicidad Intal Estate	Baggao, Cagayan	1,017.55	June 25	90
<i>PROJECT XIX-75</i> (Boundary and Topography)				
Magalang	Magalang, Pampanga	755.58	June 25	270
<i>PROJECT XX-75</i> (Topography)				
Viola Estate	Reina Mercedes, Gamu, Isabela	1,015	June 25	90

All bids shall be on per hectare basis in the Farm Lots and per lot basis on the Barrio Sites.

Bids on the above projects will be opened promptly at 10:00 a.m.

Said projects shall be undertaken in accordance with the specifications and existing laws and regulations governing land surveys in the Philippines. The Contractor will submit to the Department of Agrarian Reform the complete survey records required in the specifications, instruction and survey regulations, all duly approved by the Bureau of Lands or the Land Registration Commission. For further particular see the Chief, Land Surveys Division, Department of Agrarian Reform, Diliman, Quezon City. Pre-qualification statement are to be submitted not later than the closed of office hours on June 16, 1975.

Each bid shall be contained in a sealed envelope which shall be plainly marked and addressed as follows:

The Secretary  
Department of Agrarian Reform  
Diliman, Quezon City  
Bid submitted by \_\_\_\_\_  
for \_\_\_\_\_ survey of \_\_\_\_\_  
to be opened on \_\_\_\_\_, 1975  
in the Office of the Secretary, Dept. of Agrarian Reform.

The right to reject any or all bids and to waive any minor information in bids received is reserved by the Department of Agrarian Reform.

(Sgd.) CONRADO F. ESTRELLA  
Secretary

## Lupon ng Pamumuhunan (BOARD OF INVESTMENTS)

### [FIRST PUBLICATION]

REPUBLIC OF THE PHILIPPINES  
OFFICE OF THE PRESIDENT  
BOARD OF INVESTMENTS

#### NOTICE

Notice is hereby given that pursuant to Section 4 of Republic Act No. 5455, WEE LO KANG, a citizen of the Republic of China, with office address at Lebak, Sultan Kudarat, has filed with the Board of Investments an application for a license to engage in the restaurant business in Sultan Kudarat. The business is capitalized at P5,000.00 Philippine currency.

This application shall be considered as approved and such approval shall be effective only after fifteen (15) days from the last date of publication and upon submission of proofs of publication of this notice and compliance with the other requirements of R. A. 5455 and its implementing rules and regulations. This is, further, subject to the following conditions:

- 1) That the capital of the restaurant business shall not at any time exceed P5,000.00; and
- 2) That he shall submit an annual report of his business activities (using the prescribed BOI Form No. 5032) on or before March 31 of each year.

May 5, 1975, Pasig, Rizal, Philippines.

(Sgd.) ROBERTO C. CONCEPCION, JR.  
[24-26] Board Secretary

REPUBLIC OF THE PHILIPPINES  
OFFICE OF THE PRESIDENT  
BOARD OF INVESTMENTS  
ORTIGAS BUILDING, ORTIGAS AVENUE  
PASIG, RIZAL, PHILIPPINES D-721

#### NOTICE

Notice is hereby given that pursuant to Section 4 of Republic Act No. 5455, HUTCHISON INTERNATIONAL LIMITED, a Hongkong corporation, with office address at 6760 Ayala Avenue, Makati, Rizal, c/o Sycip, Gorres, Velayo & Co., has filed with the Board of Investments an application for a license to engage in the following activities:

- a) To the extent allowed by the Constitution and laws of the Philippines, to invest in, subscribe for, hold, purchase or otherwise dispose of, shares of capital stock, bonds, debentures, securities or other evidences of indebtedness issued or created by any

other corporation, partnership, company, association or other form of business entity, whether domestic or foreign, and while the holder of such shares of stock, bonds, debentures, securities or other evidences of indebtedness, to exercise all the rights and privileges of ownership to the extent allowed by law, without dealing in securities or engaging in the stock brokerage business;

- b) To carry on the business of rendering financial advisory services and/or assistance in the organization, development and/or expansion of agricultural, industrial, commercial, manufacturing and other productive enterprises;
- c) To encourage, arrange and/or solicit financial assistance and facilities or assist in the formation of private capital and or private acquisition or holding of shares, securities, bonds, debentures and such other interests in said productive enterprises;
- d) To promote, improve, provide and/or render technical, managerial, financial, administrative and advisory services in connection with investments in the Philippines by foreign capital and/or investors;
- e) To export, either as a principal exporter or as an agent of foreign buyers the following products to their corresponding markets:

1) asbestos cement; corrugated GI sheets; wall tiles; wood parquet flooring; abaca handicrafts; children's garments; and canned food items, i.e. canned meat, pork and beans and tomato sauce to Hongkong;

2) furniture to the U.S.A., Germany, France, and the Middle East;

- f) To export to Hongkong the following products as agents of foreign buyers:

1) cement (Portland Gray Cement Type I ASTM C-1501),

2) plywood sheets;

- g) To export Manila hemp and abaca to the People's Republic of China provided prior clearance from the Department of Trade is secured in accordance with Executive Order No. 384 dated March 11, 1972.

The business is capitalized at US\$25,000.00, or its equivalent in Philippine currency.

This application shall be considered as approved and such approval shall be effective only after fifteen (15) days from the last date of publication and upon submission of proofs of publication of this notice and compliance with the other requirements of R.A. 5455 and its implementing rules and regulations. This is, further, subject to the following conditions:

- 1) That applicant firm shall not avail of domestic credit resources;
- 2) That as management consultants, the firm shall confine its services to its existing affiliate firms or to new foreign corporations or joint venture enterprises which it may have attracted into the Philippines and subsequently allowed to do business in the country;
- 3) That it shall not engage in activities reserved primarily for investment houses;
- 4) That the exportation of cement shall be undertaken through the Philippine Cement Corporation;
- 5) That the approval of the Iron and Steel Authority shall be secured prior to the exportation of corrugated GI sheets;
- 6) That the entry and employment of its foreign personnel shall be subject to the pertinent immigration and labor laws of the Philippines and shall be strictly in accordance with the laws applicable to the practice of their profession;
- 7) That it shall bring in foreign investments of at least US\$25,000.00 or its equivalent in Philippine currency;
- 8) That it shall conform strictly with the established codes of business conduct;
- 9) That its export products shall meet overseas buyers' quality standards;
- 10) That the firm shall guarantee that its shipment shall adhere rigidly to specifications mutually agreed upon and in accordance with product samples presented in every detail;

- 11) That it shall submit samples of its export products for presentation and examination by the Board;
- 12) That it shall export within one (1) year from the date of its registration; and
- 13) That it shall submit an annual report of its business activities (using BOI Form No. 5032) on or before March 31 of each year.

April 10, 1975, Pasig, Rizal, Philippines.

(Sgd.) ROBERTO C. CONCEPCION, JR.  
[24-26] Board Secretary

REPUBLIC OF THE PHILIPPINES  
OFFICE OF THE PRESIDENT  
BOARD OF INVESTMENTS  
ORTIGAS BUILDING, ORTIGAS AVENUE  
PASIG, RIZAL, PHILIPPINES D-721

#### NOTICE

Notice is hereby given that pursuant to Section 4 of Republic Act No. 5455, WONG EN, a citizen of the Republic of China, with office address at Calinan, Davao City, has filed with the Board of Investments an application for a license to engage in tailoring business in Calinan, Davao City. The business is capitalized at P8,000.00, Philippine currency.

This application shall be considered as approved and such approval shall be effective only after fifteen (15) days from the last date of publication and upon submission of proofs of publication of this notice and compliance with the other requirements of R.A. 5455 and its implementing rules and regulations. This is, further, subject to the condition that he shall submit an annual report of his business activities on or before March 31 of each year.

November 7, 1974, Pasig, Rizal, Philippines.

(Sgd.) ROBERTO C. CONCEPCION, JR.  
[24-26] Board Secretary

## MGA PAHAYAG NA LEGAL AT OPISYAL

(LEGAL AND OFFICIAL NOTICES)

### Hukumang Unang Dulugan

(COURT OF FIRST INSTANCE)

#### [LAST PUBLICATION]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF CEBU  
FOURTEENTH JUDICIAL DISTRICT  
BRANCH I

CASE No. 14, LRC RECORD No. 9470, Lot 3900,  
Cadastral Survey of Cebu

THE DIRECTOR OF LANDS, Petitioner *vs.* ALFONSO  
ABABA, ET AL., Claimants

TEOFILO REYES, Petitioner

#### NOTICE OF HEARING

To: Gregorio Abapo, Florencio Villarosa, all of Inayawan, Pardo, Cebu City; Teofilo Reyes, Inayawan, Pardo, Cebu City; the Register of Deeds, Cebu City, the City Engineer, Cebu City; the City Attorney, Cebu City; the City Inayawan, Pardo, Cebu City; Teofilo Reyes, for the petitioner at Medalle Bldg., Fuente Osmeña, Cebu City; and to all whom it may concern:

#### GREETINGS:

Please take notice that the petition filed with this Court by Teofilo Reyes thru Atty. Antonio S. Reyes, seeking the reconstitution of original certificate of title covering Lot No. 3900 of the Cebu Cadastre, is set for hearing on October 15, 1975, at 8:30 a.m., before the First Branch of this Court located at the Palace of Justice, Cebu City, Philippines.

Whereas, Lot No. 3900 of the Cebu Cadastre and situated in the City of Cebu and covered by Decree No. 106916 has an area of 998 square meters;

Wherefore, you are hereby ordered to appear at the date, time and place herein designated and to show cause if any you have why the prayer of said petition should not be granted.

Witness, the Honorable Juan Y. Reyes, Judge of this Court, this 14th day of April, 1975.

(Sgd.) LADISLAO S. CABAHUG

[23, 24]

Branch Clerk of Court

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF CEBU  
FOURTEENTH JUDICIAL DISTRICT  
BRANCH III

CADASTRAL CASE No. 12 LRC RECORD No. 9468  
Lot No. 6319 Cebu Cadastre

THE DIRECTOR OF LANDS, Petitioner, *vs.* FRANCISCO  
ABADINAS ET AL., Claimants

#### NOTICE OF HEARING

To: Messrs. Vitaliano Sabay, Antonia Abella Vda de Sabay, Valentin Gabutan and Jovito Lee, all of Barrio Guadalupe, Cebu City, Philippines; the Register of Deeds of Cebu City, Philippines; and to all whom it may concern.

#### GREETINGS:

Please take notice that the petition filed with this Court by Vitaliano Kabahar thru counsel, Atty. Ponciano H. Alivio, seeking for the reconstitution of the Original Certificate of Title in the aforementioned Lot No. 6319, is set for hearing on July 22, 1975, at 8:30 A.M. before the Third Branch of this Court located at the Palace of Justice, Cebu City, Philippines.

Lot No. 6319, Cebu Cadastre, is situated at Barrio Guadalupe, Cebu City, Philippines, and bounded by real properties of Vitaliano Sabay, Antonia Abella Vda de Sabay, Valentin Gabutan and Jovito Lee.

You are therefore ordered to appear at the date, time and place herein designated and to show cause if any you have why said petition should not be granted.

Witness, the Honorable Juan Y. Reyes, Vacation Judge of this Court, this April 24, 1975, at Cebu City, Philippines.

(Sgd.) MISS TEOFILO C. ALINO

[23, 24]

Branch Clerk, Branch III

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF LAGUNA  
EIGHTH JUDICIAL DISTRICT  
BRANCH IV

CADASTRAL CASE No. 10, GLRO CADASTRAL RECORD  
No. 201, Lots 2934 & 2936, Longos Cadastre.—  
In Re: Petition for Reconstitution of Title.

MELECIO ACUESA, Petitioner

NOTICE

To: The Register of Deeds, Sta. Cruz, Laguna;  
Atty. Nonia dela Peña, Sta. Cruz, Laguna;  
Cirilo Salvania, Santiago Cabugazon, Vidal  
Salvania, Mateo Lagumbay, Spouses Mateo La-  
gumbay, Spouses Mateo Gallano and Maria  
Sabijon, Lucena, Avila; all of Kalayaan, La-  
guna; Bishop of Lipa City; and to all whom  
these may concern:

Whereas, the above-named petition for recon-  
stitution of Torrens Title, filed with this Court, al-  
leges that two Original Certificates of Title Nos.  
(not available) of the land records of Laguna,  
issued in the names of Aurea Avenir and Fausto  
Asedillo, respectively, covered two parcels of land  
particularly described as follows:

"A parcel of land (Lot 2934 of the cadastral  
survey of Longos, Cad. Rec. No. 201), situated  
in the Barrio of San Isidro, Municipality of  
Longos (now Kalayaan), Province of Laguna,  
Island of Luzon. Bounded on the N. by Lot  
2935; on the NE. by Lot 2936; on the SE.  
by Lot 2937; on the SW. by Lot 2930; on the  
NW. by Lots 2931 and 2933, all of Cad. 76,  
Longos Cadastre. \* \* \* Containing an area of  
two thousand eight hundred five (2,805) square  
meters, more or less."

"A parcel of land (Lot 2936 of the Cadas-  
tral survey of Longos, GLRO Cad. Rec. No.  
201), situated in the Barrio of San Isidro,  
Municipality of Longos (now Kalayaan), Pro-  
vince of Laguna, Island of Luzon. Bounded  
on the NW. and NE. by Lot 2935; on the SE.  
by Lot 2937; on the SW. by Lots 2937 and  
2934; all of Longos Cadastre. \* \* \* Contain-  
ing an area of six thousand six hundred  
forty-two (6,642) square meters, more or less."

that the originals as well as the owner's duplicates  
thereof were either lost or destroyed during the  
last world war; and that the petitioner had ac-  
quired ownership of the lands by purchase;

Therefore, you are hereby given notice that the  
petition is set for hearing on October 17, 1975 at  
8:00 a.m., before the Fourth Branch of this Court  
in Sta. Cruz, Laguna, on which date, time and  
place you should appear to file and establish your  
claim or objection, if any you have, to the petition.

Witness, the Honorable Maximo A. Maceren,  
Judge of the said Court on this 7th day of April,  
1975.

(Sgd.) FRANCISCO S. ABELLA  
[23, 24] Clerk of Court

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF LAGUNA  
EIGHTH JUDICIAL DISTRICT  
BRANCH IV

CADASTRAL CASE No. 26, GLRO CADASTRAL RECORD  
No. 748, Lot 8882, Majayjay Cadastre.—In  
Re: Petition for Reconstitution of Title.

SPOUSES BENIGNO ARVESU and CRISPINA PISUENA  
Petitioners

NOTICE

To: The Register of Deeds, Sta. Cruz, Laguna;  
Atty. Nonia de la Peña, Sta. Cruz, Laguna;  
Martina Coligado, Antonio Cologio, Antonino  
Bruma and Aproniano dela Peña, all of Ma-  
jayjay, Laguna; and to all whom it may con-  
cern:

Whereas, the above-named petition for recon-  
stitution of Torrens Title, filed with this Court, al-  
leges that Original Certificate of Title No. (N.A.)  
of the land records of Laguna, issued in the  
names of the spouses Gonzalo Brannia and Maria  
Cordon of Majayjay, Laguna, covered a parcel of  
land particularly described as follows:

"A parcel of land (Lot 8882 of the Cad.  
Survey of Majayjay, GLRO Cad. Rec. No.  
748), situated in the Barrio of Bucal, Munic-  
ipality of Majayjay, Province of Laguna,  
Island of Luzon. Bounded on the N. by Lot  
8859; on the NE. by Lot 8880; on the SE.  
by Lots 8884 and 8880; and on the SW. and  
NW. by Lots 8880 and 9023, all of Cad. 180,  
Majayjay Cadastre. Containing an area of  
three thousand seven hundred thirty-two  
(3,732) square meters, more or less."

that the original as well as the owner's duplicate  
thereof were either lost or destroyed during the  
last world war; and that the petitioners have ac-  
quired ownership of the land by purchase;

Therefore, you are hereby given notice that the  
petition is set for hearing on October 17, 1975 at  
8:00 a.m., before the Fourth Branch of this Court  
in Sta. Cruz, Laguna, on which date, time and  
place you should appear to file and establish  
your claim or objection, if any you have, to the  
petition.

Witness, the Honorable Maximo A. Maceren,  
Judge of the said Court, on this 7th day of April,  
1975.

(Sgd.) FRANCISCO S. ABELLA  
[23, 24] Clerk of Court



REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF LAGUNA  
EIGHTH JUDICIAL DISTRICT  
BRANCH II

CADASTRAL CASE No. 15, GLRO CADASTRAL RECORD  
No. 416, Lot 3773, Longos Cadastre.—In Re:  
Petition for Reconstitution of Title.

JULITA VALDARIA, Petitioner

NOTICE

To: The Register of Deeds, Sta. Cruz, Laguna;  
Atty. Nonia de la Peña, Sta. Cruz, Laguna;  
Maria Asedillo, Gregorio Lafrades, Donato La-  
ganas and Mateo Yamo, all of Kalayaan, La-  
guna; and to all whom these may concern:

Whereas, the above-named petition for reconsti-  
tution of Torrens Title, filed with this Court, al-  
leges that Original Certificate of Title No. (N.A.)  
of the land records of Laguna, issued in the name  
of Julita Valdaria, covered a parcel of land partic-  
ularly described as follows:

"A parcel of land (Lot 3773 of the Cadas-  
tral Survey of Longos, Cad. Record No. 416),  
situated in the Barrio of Lamao, Municipality  
of Longos (now Kalayaan), Province of La-  
guna, Island of Luzon. Bounded on the NW.  
and NE. by Lot 3775; on the SE. by Lots  
3774 and 3761; on the SW. by Lot 3761,  
and on the NW. by Lot 3772, all of Cad. 76,  
Longos Cadastre. \* \* \* Containing an area  
of fifty seven thousand three hundred fourteen  
(57,314) square meters, more or less."

that the original as well as the owner's duplicate  
thereof were either lost or destroyed during the  
last world war;

Therefore, you are hereby given notice that the  
petition is set for hearing on October 16, 1975 at  
8:00 a.m., before the Second Branch of this Court  
in Sta. Cruz, Laguna, on which date, time and  
place you should appear to file and establish your  
claim or objection, if any you have, to the peti-  
tion.

Witness, the Honorable Gabriel V. Valero,  
Judge of the said Court, on this 7th day of April,  
1975.

(Sgd.) FRANCISCO S. ABELLA  
Clerk of Court

[23, 24]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF LAGUNA  
EIGHTH JUDICIAL DISTRICT  
BRANCH IV

LAND REGISTRATION CASE No. 584, GLRO RECORD  
No. 16404, Lot 8, Nagcarlan.—In Re: Petition  
for Reconstitution of Title.

CLOTILDE CAPISTRANO, Petitioner

NOTICE

To: The Register of Deeds, Sta. Cruz, Laguna;  
Atty. Romulo S. Brion, San Pablo City; Mar-  
celino de Castro, Isidro de Luna, Sps. Andres  
Consignado and Isabel Ortiz, Rufina de Castro,  
Florencio Tabiera, Antonio Planillo, Mariano  
Buensuceso and the Municipal Mayor, all of  
Nagcarlan, Laguna; and to all whom these may  
concern:'

Whereas, the above-named petition for reconsti-  
tution of Torrens Title, filed with this Court, al-  
leges that Transfer Certificate of Title No. 14075  
of the land records of Laguna, issued in the name  
of Regino Capistrano, covered a parcel of land  
particularly described as follows:

"A parcel of land (Lot No. 8, plan Psu-  
14350), with all buildings and improvements  
thereon, situated in the Barrio of Inlolopez,  
Municipality of Nagcarlan, Province of La-  
guna. Bounded on the W. by Barrio Road;  
on the N. by property of Marcelino de Castro;  
on the NE. by San Diego River; and on the  
SE. and SW. and S. by property of Isidro  
de Luna. \* \* \* Containing an area of eight  
thousand four hundred thirty-four (8,434)  
square meters."

that the original as well as the owner's duplicate  
thereof were either lost or destroyed during the  
last world war;

Therefore, you are hereby given notice that the  
petition is set for hearing on October 15, 1975 at  
8:00 a.m., before the Fourth Branch of this Court  
in Sta. Cruz, Laguna, on which date, time and  
place you should appear to file and establish your  
claim or objection, if any you have, to the petition.

Witness, the Honorable Maximo A. Maceren,  
Judge of the said Court on this 7th day of April,  
1975.

(Sgd.) FRANCISCO S. ABELLA  
Clerk of Court

[23, 24]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF LAGUNA  
AND SAN PABLO CITY  
8TH JUDICIAL DISTRICT, BRANCH III  
CITY OF SAN PABLO

CASE No. 1398 GLRO RECORD No. 31951—In Re:  
Petition for Reconstitution of O.C.T. No. 9122  
of the Office of the Register of Deeds of the  
City of San Pablo.

FLORA FERNANDEZ and RUBY F. TICZON, Petitioners

.. NOTICE

To: The Register of Deeds, City Engineer, City  
Fiscal, Atty. Victorino B. Javier, Mrs. Pacita  
Catipon, Gen. Malvar St., and T. Azucena St.,  
% City Engineer, all of San Pablo City and  
Heirs of Pacita Ticzon % Gergorio T. Eleosida  
at Chrysler Philippines Corp. No. 2306 Pasong  
Tamo, Makati, Rizal; Judge Felipe T. Eleosida  
at Kidapawan, Cotabato and the City Govern-  
ment, City of San Pablo and to all whom it  
may concern:

Whereas, a verified petition had been filed in  
this Court under the provisions of Republic Act  
No. 26 for the Reconstitution of Original Certificate  
of Title No. 9122 issued in the name of Cristeto  
Ticzon and Miguela Belarmino; that the owner's  
duplicate as well as the original thereof filed in  
the office of the Register of Deeds of Laguna and  
San Pablo City was lost, destroyed or burned  
during the last war; that no co-owner's mortgagee's  
or lessee's duplicate have ever been issued; and that  
no deeds or other instruments affecting the said  
lands have been presented for registration with  
the Register of Deeds of Laguna and San Pablo  
City, covering the parcel of land more particularly  
described as follow:

"A parcel of land (Plan Psu-53867), with  
the improvements thereon, situated in the  
Poblacion, City of San Pablo. Bounded on the  
NE., by Jose Fernandez; on the SE., by  
Teopisto Catipon; on the S., by Gen. Malvar  
Street; and the NW., by T. Azucena Street,  
\* \* \* containing an area of 898 square meters  
more or less.

Wherefore, you are hereby given notice that the  
said petition has been set for hearing on August  
15, 1975 at 8:30. A.M., before this Court at San  
Pablo City; on which date time and place, any  
person may appear and file his claims or objection  
if he has any ground to the petition.

Witness, the Honorable Conrado T. Limcaoco,  
Judge of this Court, this 2nd day of June 1975.

(Sgd) DOLORES AVANZADO-ENABORE

[23 24] Sr. Deputy Clerk of Court

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF NUEVA  
ECIJA  
FOURTH JUDICIAL DISTRICT  
BRANCH III

CADASTRAL CASE No. 68, GLRO CADASTRAL RECORD  
No. 1553, Lot 314, Sta. Rosa Cadastre

THE DIRECTOR OF LANDS, Petitioner, *vs.* ENCARNACION  
SINAGUINAN, ET AL., Petitioner-Claimants

ORDER

Notice is hereby given to all persons who might  
have claims or interests to Lot 314 of the Sta.  
Rosa Cadastre that the hearing on the merits  
of the petition for substitution of answer and to  
set date of hearing filed on May 27, 1975 by the  
herein claimants is set on September 3, 1975, at  
8:30 o'clock in the morning, so that those who are  
interested or who may thereby be adversely af-  
fected may have the chance to appear at the  
hearing aforesaid and interpose their objection,  
otherwise, their failure to do so will be considered  
a waiver and/or relinquishment of their right.

Let copies of this order be posted on the bulletin  
boards of the municipal building of Sta. Rosa,  
Nueva Ecija, and of the provincial capitol of  
Nueva Ecija. Likewise, let a copy of this order  
be published in two successive issues of the  
*Official Gazette* at the expense of the claimants.

So ORDERED.

Cabanatuan City, May 28, 1975.

(Sgd.) SALVADOR C. REYES

[23, 24]

Judge

## Komisyon sa Patalaan ng Lupain (LAND REGISTRATION COMMISSION)

### [LAST PUBLICATION]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF BATAAN  
Land Registration Case No. N-273  
LRC Record No. N-47051

#### NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. III-5, Balanga, Bataan; the Municipal Mayor, the Municipal Council, Miguel Guiking, Rodolfo Casuayan, Rosviminda Bagalawis, Lazaro Canilao, Mariveles, Bataan; Francisco Sy-Changco, Presentacion Espinola, 1144 Hermosa Street, Manuguit Subdivision, Tondo, Manila; Luz Ilagan, 1420 G. Tuason Street, Manila; Arsenio de Guzman, 351-H F. Roxas Street, Grace Park, Caloocan City; Salve-Llora Mendoza, 351-G F. Roxas Street, Grace Park, Caloocan City; and to all whom it may concern:

Whereas, an application has been presented to this Court by Isagani Maglaya, 1420 G. Tuason Street, Manila; Corazon Maglaya de Guzman, 351-H F. Roxas Street, Grace Park, Caloocan City; Belen Maglaya Herreros, 2527-A A. Figueroa Street, Pasay City; Armando Maglaya and Dante Maglaya, 351-G F. Roxas Street, Grace Park, Caloocan City; and Lilia Maglaya, Mariveles, Bataan, to register and confirm their title to the following property:

A parcel of land (Lot 266, Cad. 36, Mariveles Cadastre, plan Ap-03-001091), with the improvements thereon, situated in the Barrio of Wiswis, Municipality of Mariveles, Province of Bataan. Bounded on the N. by a Public Land; on the NE. by the Camaya River; on the E. by the Mariveles Military Reservation; on the S. by property of Miguel Guiking & Rodolfo Casuayan and a Public Land; and on the W. by a Public Land. Point "1" is N. 10 deg. 25 min. E., 641.24 meters from BLLM 1, Cad. 36, Mariveles Cadastre. Area one hundred fifty thousand nine (150,009) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Bataan, at its session to be held in the Municipality of Balanga, Province of Bataan, Philippines, on the 15th day of August, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said

application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed, and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Abraham P. Vera, Judge of said Court, the 22nd day of May, in the year 1975.

Issued at Quezon City, Philippines, this 28th day of May, 1975.

Attest:

GREGORIO BILOG, JR.

Commissioner of Land Registration

By: GREGORIO C. SEMBRANO

Acting Chief, Docket Division

[23, 24]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF BATAAN  
Land Registration Case No. N-267  
LRC Record No. N-45917

#### NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. III-5, the Municipal Mayor, the Municipal Council, Balanga, Bataan; Apolonio Benitez, Arsenio Tampiz, or Tampis, Mariveles, Bataan; Rosario Casimiro, Orani, Bataan; Erlinda Rico, 888 Vinzon Street, Davao City; and to all whom it may concern:

Whereas, an application has been presented to this Court by Regelio Villanueva, 888 Vinzon St., Davao City, thru Atty. Amando D. Ignacio, Rm. 414 Madrigal Building, Escolta, Manila, to register and confirm his title to the following property:

A parcel of land (plan (LRC) Psu-193), situated in the Barrio of Wain, Municipality of Mariveles, Province of Bataan. Bounded on the NE. and E., by the National Road; on the SE. by the National Road, property of Arsenio Tampiz or Tampis and a Barrio Road; on the SW. by property of Rosario Casimiro and a creek; on the W. by a creek; and on the NW. by a creek, property of Apolonio Benitez and the Aglaloma River. Point "1" is N. 76 deg 30 min. E., 4,633.81 meters from MBM 4, Mariveles Cadastre. Area six hundred sixty seven thousand seven hundred sixty (667,760) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Bataan, at its session to be held in the Municipality of Balanga, Province of Bataan, Philippines, on the 17th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Pedro T. Santiago, Judge of said Court, the 20th day of May, in the year 1975.

Issued at Quezon City, Philippines, this 22nd day of May, 1975.

Attest:

GREGORIO BILOG, JR.

Commissioner of Land Registration

By: GREGORIO C. SEMBRANO

[23,24]

Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF BATAAN

Land Registration Case No. N-272

LRC Record No. N-46914

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. III-5, Balanga, Bataan; the Municipal Mayor, the Municipal Council, Patrocinio V. Cruz, Mariveles, Bataan; Dominga B. Garcia, 275 Deato, Tamarao Hills, Valenzuela, Bulacan; Patrocinio V. Cruz, C. Arellano St., Malabon, Rizal; Alfredo de Guzman and Eduardo de la Cruz, Alasasin, Mariveles, Bataan; and to all whom it may concern:

Whereas, an application has been presented to this Court by Venancio Y. Reyes, Look Primero, Malolos, Bulacan, to register and confirm his title to the following property:

A parcel of land (Lot 2, plan (LRC) Psu-1136), with improvements thereon, situated in the Barrio of Alasasin, Municipality of Mariveles, Province of Bataan. Bounded on the NE. by a Feeder Road; on the SE. by Lot 3, property of Alfredo de Guzman; on the SW. by a creek; and on the NW. by Lot 1, property of Patrocinio V. Cruz. Point "1" is S. 59 deg. 49 min. W., 2,632.82 meters from BLLM No. 10, Mariveles Cadastre. Area twenty thousand (20,000) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Bataan, at its session to be held at Branch I, Municipality of Balanga, Province of Bataan, Philippines, on the 10th day of October, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Abraham P. Vera, Judge of said Court, the 4th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest:

GREGORIO BILOG, JR.

Commissioner of Land Registration

By: GREGORIO C. SEMBRANO

[23,24]

Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF BULACAN

Land Registration Case No. N-410-SM

LRC Record No. N-45490

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reforms, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Malolos, Bulacan; the District Land Office No. III-6, Tabang, Guiguinto, Bulacan; the Municipal Mayor, the Municipal Council, Guillermo Robes, Cirilo German, Miguel Casas, Leonor Tuazon, Maria Casas, Gregoria Chavez, Marcelino Antonio, Arcadio Zamora, San Jose del Monte, Bulacan; Lucila Diaz Hernandez, Dulong Bayan, San Jose del Monte; and to all whom it may concern:

Whereas, an application has been presented to this Court by spouses Filemon Hernandez and Milagros Elfa, spouses Dionisio Pontilla and Salud H. Pontilla, spouses Pedro Pasco and Simeona H. Pasco, Aurea H. Cruz, Miguela H. Cruz and Benjamin H. Cruz, San Jose del Monte, Bulacan to register and confirm their title to the following property:

A parcel of land (Lot 776, Cad-352, San Jose del Monte Cadastre, plan As-1078, with the improvements thereon, situated in the Barrio of Dulong Bayan, Municipality of San Jose del Monte, Province of Bulacan. Bounded on the NE. by properties of Guillermo Robes, Cirilo

German and Miguel Casas; on the E. by property of Miguel Casas; on the SE. by properties of Miguel Casas and Arcadio Zamora (before) Leonor Tuazon (now); on the SW. by properties of Maria Casas and Marcelino Antonio; and on the NW. by properties of Marcelino Antonio, Gregoria Chavez and the Sta. Maria River. Point "1" is N. 39 deg. 39 min. W., 2,244.43 meters from BLLM 1, Cad-352, San Jose del Monte Cadastre. Area thirty nine thousand seven hundred sixty-eight (39,768) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Bulacan, at its session to be held in the Municipality of Sta. Maria, Province of Bulacan, Philippines, on the 28th day of August, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed, and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Ambrosio M. Germaldez, Judge of said Court, the 19th day of May, in the year 1975.

Issued at Quezon City, Philippines, this 22nd day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
Acting Chief, Docket Division  
[23, 24]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF BULACAN

Land Registration Case No. B-117  
LRC Record No. N-46084

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Malolos, Bulacan; the District Land Office No. III-6, Tabang, Guiguinto, Bulacan; the Municipal Mayor, and the Municipal Council, Bustos, Bulacan; Basilio Alvaro, Gertrudes Lopez, Valentin Fernando, Bonifacio Cruz, Agustin de Ocampo, Petra de la Cruz, Tomas Lopez, Josefa Buenaventura, the Heirs of Calixto Bartolome, Catacte, Bustos, Bulacan; Regina Domingo, Zacarias Duque, Mercedes Estanislao, and Regina Sarmiento, San Jose,

Montalban, Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by Pedro Sarmiento, Aquilina Sarmiento, Martiniano Sarmiento, San Jose Montalban, Rizal, thru Atty. Maximo Calalang, 560 Constancia, Manila, to register and confirm their title to the following property:

A parcel of land (Lot 2233, Bustos Cadastre, plan Ap-19131), situated in the Barrio of Catacte, Municipality of Bustos, Province of Bulacan. Bounded on the NE., by properties of Valentin Fernando and Bonifacio Cruz; on the SE., by properties of Bonifacio Cruz, Valentin Fernando; and Gertrudes Lopez; on the SW., by property of Basilio Alvaro; on the W., by property of Agustin de Ocampo; and on the NW., by properties of Basilio Alvaro and Gertrudes Lopez. Point "1" is S. 37 deg. 20 min. E., 4,017.77 meters from BLLM 1, Bustos Cadastre. Area eleven thousand three hundred twelve (11,312) square meters, more or less;

You are hereby cited to appear before the Court of First Instance of Bulacan, at its session to be held at Branch IV, Municipality of Baliwag, Province of Bulacan, Philippines, on the 19th day of September, 1975, at 9:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Benigno M. Puno, Judge of the said Court, the 18th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
Acting Chief, Docket Division  
[23, 24]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF BULACAN

Land Registration Case No. N-3284  
LRC Record No. N-46157

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District

Engineer, the Highway District Engineer, Malolos, Bulacan; the District Land Office No. III-6, Tabang, Guiguinto, Bulacan; the Municipal Mayor, the Municipal Council, Teofila Safra, Ruben San Gabriel, Jose de Guzman, Pedro Nicolas, Ricardo Martin, Mario Batra, Jose San Pedro, Aurea Benedicto and Aurelio Estanislao, Bocaue, Bulacan; the Municipal Mayor, the Municipal Council, Balagtas, (Bigaa) Bulacan; and to all whom it may concern:

Whereas, an application has been presented to this Court by Aurora Z. Amada, 27 Banana Road, Malabon, Rizal, to register and confirm her title to the following properties:

1. A parcel of land (Lot 2414, Cad-332, Bocaue Cadastre, plan Ap-03-000714), with the improvements thereon, situated in the Barrio of Taal, Municipality of Bocaue, Province of Bulacan. Bounded on the NE., by properties of Teofila Safra and Ruben San Gabriel; on the E., and S., by property of Jose de Guzman; on the SW., by properties of Pedro Nicolas and Ricardo Martin; and on the NW., by properties of Aurea Benedicto and Mario Batra *vs.* Jose San Pedro. Point "1" is N. 31 deg. 57 min. W., 1,756.11 meters from BLLM 1, Cad 332, Bocaue Cadastre. Area three thousand four hundred seventy-one (3,471) square meters, more or less.

2. A parcel of land (Lot 2365, Cad-332, Bocaue Cadastre, plan Ap-03-000715), with improvements thereon, situated in the Barrio of Taal, Municipality of Bocaue, Province of Bulacan. Bounded on the NE., by property of Ricardo Martin; on the SE., by property of Pedro Nicolas; on the SW., by the National Road; and on the NW., by property of Aurea Benedicto. Point "1" is N. 34 deg. 00 min. W., 1,716.88 meters from BLLM 1, Cad-332, Bocaue Cadastre. Area one hundred seventy-four (174) square meters, more or less.

3. A parcel of land (Lot 3423, Cad-333, Bigaa Cadastre, plan Ap-03-000716), with the improvements thereon, situated in the Barrio of San Juan, Municipality of Bigaa, Province of Bulacan. Bounded on the NE., by properties of Teofila Safra and Mario Batra *vs.* Jose San Pedro; on the SE., by property of Aurea Benedicto; on the SW., by property of Ricardo Martin; and on the NW., by property of Aurelio Estanislao. Point "1" is S. 40 deg. 09 min. E., 1,264.62 meters from BLLM 1, Cad-333, Bigaa Cadastre. Area one thousand one hundred ninety-six (1,196) square meters, more or less.

4. A parcel of land (Lot 3485, Cad-333, Bigaa Cadastre, plan Ap-03-000716), with the improvements thereon, situated in the Barrio of San Juan, Municipality of Bigaa, Province of Bu-

lacan. Bounded on the NE., by property of Ricardo Martin; on the SE., by property of Aurea Benedicto; on the SW., by the National Road; and on the NW., by property of Ricardo Martin. Point "1" is S. 39 deg. 29 min. E., 1,296.56 meters from BLLM 1, Cad-333, Bigaa Cadastre. Area fifty (50) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Bulacan, at its session to be held in the Municipality of Malolos, Province of Bulacan, Philippines, on the 9th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Jesus R. de Vega, Judge of said Court, the 7th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest:

GREGORIO BILOG, JR.

Commissioner of Land Registration

By: GREGORIO C. SEMBRANO

[23, 24]

Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF BULACAN  
Land Registration Case No. N-3324  
LRC Record No. N-46789

#### NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, the Panginay Estate % Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Felipe Estrella, Malolos Bulacan; the District Land Office No. III-6, Tabang, Guiguinto, Bulacan; the Municipal Mayor, the Municipal Council, Balagtas, Bulacan; the Municipal Mayor, the Municipal Council, and Jose Palomares, Guiguinto, Bulacan; Felix Galvez, Emiliano Paguia, Agripina dela Cruz, Juan Miranda, Juana del Mundo, and Asuncion Arcellas, Panginay, Balagtas, Bulacan; Dominador Bernardo, Virginia Narciso-Bernardo and Nicolas Gatmaitan, Tuktukan, Guiguinto, Bulacan; the Heirs

of Manuela Gatmaitan, the Heirs of Petra Gatmaitan and Geronimo Gatmaitan, Bulacan, Bulacan; Juan Miranda, Plaridel, Bulacan; and to all whom it may concern:

Whereas, an application has been presented to this Court by the spouses Maria Vicenta Bernardo-Quila and J. Antonio M. Quila, No. 101 New York, Cubao, Quezon City, assisted by Atty. Remigio M. Kalalang, Balagtas, Bulacan, to register and confirm their title to the following properties:

1. A parcel of land (Lot 2510, Cad-333, Bigaa Cadastre, plan Ap-03-000688), situated in the Barrio of Panginay, Municipality of Balagtas, Province of Bulacan. Bounded on the N and NE. by property of Felix Galvez; on the E. by property of Dominador Bernardo; on the S. and SW. by property of Juan Miranda; on the W. by a Barrio Road; and on the NW. by property of Emiliano Paguia. Point "1" is N. 73 deg 22 min. W., 1,813.90 meters from BLLM 1, Cad-333, Bigaa Cadastre. Area one thousand one hundred thirteen (1,113) square meters, more or less.

2. A parcel of land (Lot 2512, Cad-333, Bigaa Cadastre, plan Ap-03-000688), situated in the Barrio of Panginay, Municipality of Balagtas, Province of Bulacan. Bounded on the N. and NE. by property of Agripina dela Cruz; on the SE. and SW. by property of Juan Miranda; and on the W. by property of Dominador Bernardo. Point "1" is N. 73 deg. 00 min. W., 1,581.03 meters from BLLM 1, Cad-333, Bigaa Cadastre. Area three thousand five hundred ninety-four (3,594) square meters, more or less.

3. A parcel of land (Lot 2513, Cad-333, Bigaa Cadastre, plan Ap-03-000688), situated in the Barrio of Panginay, Municipality of Balagtas, Province of Bulacan. Bounded on the NE. and NW. by property of Jose Palomares; on the SE. by the Panginay Estate; and on the SW. by the Panginay Estate and property of Juan Miranda. Point "1" is N. 73 deg. 30 min. W., 1,536.17 meters from BLLM 1, Cad-333, Bigaa Cadastre. Area two thousand two hundred ninety-one (2,291) square meters, more or less.

4. A parcel of land (Lot 1948, Cad-334, Guiguinto Cadastre, plan Ap-03-000995), situated in the Barrio of Tuktukan, Municipality of Guiguinto, Province of Bulacan. Bounded on the NE. by the National Road; on the SE. by property of Geronimo Gatmaitan *vs.* the Heirs of Manuela Gatmaitan; on the S. by property of the Heirs of Petra Gatmaitan; and on the NW. by property of Felipe Estrella. Point "1" is S. 89 deg. 46 min. E., 1,326.52 meters from BLLM 1, Cad-334, Guiguinto Cadastre. Area nine hundred eighty-three (983) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Bulacan, at its session to be held in the Municipality of Malolos, Province of Bulacan, Philippines, on the 11th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Jesus R. De Vega, Judge of said Court the 7th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest: GREGORIO BILOG, JR  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
Acting Chief, Docket Division  
[23, 24]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF BULACAN

Land Registration Case No. N-183-V-75  
LRC Record No. N-46939

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Malolos, Bulacan; the District Land Office No. III-6, Tabang, Guiguinto, Bulacan; the Municipal Mayor and the Municipal Council, Valenzuela, Bulacan; Simeona Marcos, Fortunata Pasco, Mila Marcos, Pilar Gregorio, Julia Calderon, Ursula Calderon, Tomas Ramos, Florentina Ramos, Olimpia de Vega, Manuel Sebastian, Eugenia Pascual and Francisca Bautista, Coloong, Valenzuela, Bulacan; Lucio Putulin, Longos Meycauayan, Bulacan; Aurora Lava or Leyva-Evangelista, Balangkas, Valenzuela, Bulacan; Librada Bautista-Ramos, Tagalog, Valenzuela, Bulacan; and the Director, Regional and Office No. III, San Fernando, Pampanga; and to all whom it may concern:

Whereas, an application has been presented to this Court by Ramon Ramos, Rosa Ramos, Pelagio Ramos, Raymundo Ramos, Anselmo Ramos and Hilarion Ramos, Coloong, Valenzuela, Bulacan, and Mariano Ramos, Tagalog, Valenzuela, Bulacan, assisted by Atty. Caesar R. Montecarlos,



Valenzuela, Bulacan, to register and confirm their title to the following property:

A parcel of land (Lot 225, Cad-338, Polo Cadastre, plan Ap-03-000903), situated in the Barrio of Caloong, Municipality of Polo (now-Valenzuela, Province of Bulacan. Bounded on the NE., by property of Tomas and Florentina Ramos (before) Lucio Putulin (now); on the SE., by properties of Aurora Lava or Leyva-Evangelista, Manuel Sebastian (before) Olimpia de Vega (now), and the Heirs of Guillermo Pascual (before) Eugenia Pascual (now); on the SW., by a Barrio Road; and on the NW., by properties of Ramon Ramos and Simeona Marcos, Ramon Ramos and Simeona Marcos (before), Ursula Calderon (now) Agapita Pascual and Ursula Pascual (before) Ramon Ramos (now). Point "1" is N, 7 deg. 16 min. W., 2,097.04 meters from BLLM 1, Cad-338, Polo Cadastre. Area five thousand eighty three (5,083) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Bulacan, at its session to be held in the Municipality of Valenzuela, Province of Bulacan, Philippines on the 23rd day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Eduardo P. Caguioa, Judge of said Court, the 15th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest: **GREGORIO BILOG JR.**  
Commissioner of Land Registration  
By: **GREGORIO C. SEMBRANO**  
[23 24] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF BULACAN

Land Registration Case No. B-120  
LRC Record No. N-46968

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Malolos, Bulacan; the District Land Office No. III-6, Tabang, Guiguinto, Bulacan; the Municipal Mayor, the Municipal Council, Lopez Cristobal, Margarita Alfonso, Leonila de Lara, Lope S. Cristobal

Bustos, Bulacan; the Branch Manager, Development Bank of the Philippines, Quezon City; and to all whom it may concern:

Whereas, an application has been presented to this Court by Primo Cruz, Bustos, Bulacan, to register and confirm his title to the following properties:

Two (2) parcels of land situated in the Poblacion, Municipality of Bustos, Province of Bulacan. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 4525, Gad-344, Bustos Cadastre, plan Ap-03-000085), Bounded on the NE., by property of Margarita Alfonso; on the SE., by Lot 4526; and on the SW., and NW., by properties of Lope S. Cristobal. Point "1" is N. 58 deg. 02 min. W., 804.07 meters from BLLM No. 1, Cad-344, Bustos Cadastre. Area two thousand one hundred fifteen (2,115) square meters, more or less.

2. A parcel of land (Lot 4526, Cad-344, Bustos Cadastre, plan Ap-03-000085). Bounded on the NE., by property of Margarita Alfonso; on the SE., by the Provincial Road; on the SW., by property of Lope S. Cristobal; and on the NW., by Lot 4525. Point "1" is N. 60 deg. 47 min. W., 724.58 meters from BLLM No. 1, Cad-344, Bustos Cadastre. Area fifty-five (55) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Bulacan, at its session to be held at Branch IV, Municipality of Baliwag, Province of Bulacan, Philippines, on the 19th day of September, 1975, at 9:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Benigno M. Puno, Judge of said Court, the 18th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest: **GREGORIO BILOG JR.**  
Commissioner of Land Registration  
By: **GREGORIO C. SEMBRANO**  
[23 24] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF BULACAN

Land Registration Case No. SM-435  
LRC Record No. N-46986

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the



Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Malolos, Bulacan; the District Land Office No. III-6, Tabang, Guiguinto, Bulacan; the Municipal Mayor, the Municipal Council, Primitiva or Primitivo Pascual, Ambrocio Castillo, Irene Ramos, Norzagaray, Bulacan; Conrado Andres, Paulina Palad, Feliciano Bernabe, Marcela Tolentino and Hilario Legaspi, Poblacion, Norzagaray, Bulacan; Celedonio Reyes c/o Dr. Francisco Reyes, Pulong Buhangin, Sta. Maria, Bulacan; and to all whom it may concern:

Whereas, an application has been presented to this Court by Tiburcio Legaspi, Francisca Legaspi, Mamerto Correa and Gervacio Legaspi, Poblacion, Norzagaray, Bulacan, assisted by Atty. Amador C. de la Merced, 107 Wm. Shaw, Caloocan City, to register and confirm their title to the following property:

A parcel of land (Lot 2117, Cad. 350, Norzagaray Cadastre, plan As-03-000166), situated in the Poblacion, Municipality of Norzagaray, Province of Bulacan. Bounded on the NE., by property of the Municipal Government of Norzagaray; on the SE., by properties of Ambrocio Castillo, Celedonio Reyes and Irene Ramos; on the SW., by properties of Irene Ramos, Conrado Andres and a Barrio Road; and on the NW., by property of Primitiva or Primitivo Pascual. Point "1" is S. 53 deg. 18 min. W., 987.68 meters from BLLM 1, Cad. 350, Norzagaray Cadastre. Area ten thousand six hundred ninety-six (10,696) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Bulacan, at its session to be held at Branch V, Municipality of Sta. Maria, Province of Bulacan, Philippines, on the 30th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Ambrosio M. Giraldez, Judge of said Court, the 24th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest:

GREGORIO BILOG JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO

[23 24]

Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF  
CAMARINES SUR

Land Registration Case No. N-1524  
LRC Record No. N-45865

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City, the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the District Land Office No. V-2, Naga City; the Highway District Engineer, Baras, Canaman, Camarines Sur; the Municipal Mayor, the Municipal Council, Canaman, Camarines Sur; Esteban Balmeo, Rosario Pante, Venancio Pante, Francisco Catimbang, the Barrio Captain, Dinaga, Canaman, Camarines Sur; and to all whom it may concern:

Whereas, an application has been presented to this Court by Eugenio P. Ragodon, Canaman, Camarines Sur, to register and confirm his title to the following properties:

Two (2) parcels of land with the improvements thereon, situated in the Barrio of Dinaga, Municipality of Canaman, Province of Camarines Sur. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 1, plan Psu-252157). Bounded on the NE., by a Callejon; on the SE., by Lot 2; on the SW., by property of Rosario Pante; and on the NW., by the Canaman River; Point "1" is S. 52 deg. 46 min. W., 2,364.17 meters from BLLM 19, Magarao, Camarines Sur. Area two hundred eighty (280) square meters, more or less.

2. A parcel of land (Lot 2, plan Psu-252157). Bounded on the NE., by a Callejon; on the SE., by the Provincial Road; on the SW., by property of Rosario Pante; and on the NW., by Lot 1. Point "1" is S. 52 deg. 16 min. W., 2,347.58 meters from BLLM 19, Magarao, Camarines Sur. Area seventy eight (78) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Camarines Sur, at its session to be held in the City of Naga, Philippines, on the 10th day of October, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Rafael de la Cruz, Judge of said Court, the 1st day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest: GREGORIO BILOG JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
[23 24] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF CAMARINES  
SUR

Land Registration Case No. T-97  
LRC Record No. N-46972

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the District Land Office No. V-2, and the Archbishop of Nueva Caceres, Naga City; the Highway District Engineer, Baras, Canaman, Camarines Sur; the Municipal Mayor, the Municipal Council, the Heirs of Angel Recto c/o Francisco Recto, Arsenio B. Natividad, Leelin and Company, c/o Pascual Leelin, Marciano Bongat, Antonio Baduria, Josefa Cea, Tigaon, Camarines Sur; and to all whom it may concern:

Whereas, an application has been presented to this Court by the spouses, Claudio M. Francisco and Nazaria Recto, Poblacion, Tigaon, Camarines Sur, thru Atty. Pedro D. Servano, Bello Building, Naga City, to register and confirm their title to the following properties:

1. A parcel of land (plan Psu-197292), with the building and improvements thereon, situated in the Poblacion, Municipality of Tigaon, Province of Camarines Sur. Bounded on the NE., by Sta. Clara St.; on the SE., by property of the Heirs of Angel Recto; on the SW., by the Provincial Road; and on the NW., by Jacob St., Point "1" is S. 58 deg. 26' min E., 48.71 meters from BLLM 1, Tigaon, Camarines Sur. Area eight hundred sixteen (816) square meters more or less.

2. A parcel of Land (plan Psu-204501), with the building and improvements thereon, situated in the Barrio of San Francisco, Municipality of Tigaon, Province of Camarines Sur. Bounded on the NE., by an Irrigation Ditch and property of Arsenio B. Natividad; on the E., and SE., by property of Arsenio B. Natividad; on the SW.,

by properties of Leelin & Company and Marciano Bongat; and on the NW., by the Public Cemetery and a Road. Point "1" is N. 14 deg. 58 min. E., 564.00 meters from BLLM 1, Tigaon, Camarines Sur. Area thirty one thousand three hundred seventy one (31,371) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Camarines Sur, at its session to be held in the City of Naga, Philippines, on 18th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Alfredo S. Rebueno, Judge of said Court, the 15th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
[23, 24] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF CEBU

Land Registration No. N-969  
LRC Record No. N-46873

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer and the District Land Office No. VII-I, Cebu City; the City Mayor, the City Council, the City Fiscal, the City Treasurer and the City Engineer, Mandaue City; Alfonso Judilla, Basak, Mandaue City; Juanita Perez, Pedro Dimpas, Gavino Diano, Gerardo Ouano and Severina Cortes, Pagsabungan, Mandaue City; and to all whom it may concern:

Whereas, an application has been presented to this Court by the Hermag Development Corporation, represented by its President, Hermenegildo Trinidad, Cebu City, thru Atty. Roberto R. Palmares, Suite 108 Aboitiz Building, J. Luna St., Cebu City, to register and confirm its title to the following property:

A parcel of land (Lot 848, II-5121 AMD-2, plan Swo-07-01-000050), with the building improvements thereon, situated in the City of Mandane. Bounded on the NE., by property of Juanita Perez; on the E., by property of Gerardo Ouano; on the SW., by property of Pedro Dimpas and Gavino Diano; and on the W., by property of Severina Cortes. Point "1" is N. 6 deg. 46 min. E., 2951.33 meters from BLLM 1, Mandane City. Area five thousand two hundred forty-two (5,242) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Cebu, at its session to be held at the Fifth Branch, Capitol Building City of Cebu, Philippines, on the 31st day of October, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Mariano A. Zosa, Judge of said Court, the 14th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
[23, 24] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF ILOCOS  
SUR

Land Registration Case No. N-464  
LRC Record No. N-46913

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. 1-3, the Municipal Mayor, the Municipal Council, Martin Arcano, Basilio Plete, Caridad A. Villareal, the Heirs of Bartolome Filamor, Matilde Alagar, Felisa Alagar, Concepcion Alagar, Maria A. Bravo, Manuel Alagar, Vigan, Ilocos Sur; and to all whom it may concern:

Whereas, an application has been presented to this Court by Nora Alagar Alafritz, assisted by Arturo Alafritz, 25 Pili Avenue, Forbes Park, Makati, Rizal, to register and confirm her title to the following property:

A parcel of land (Lot 1391-B Csd-1-00020, plan Ap-1-00128), situated in the Poblacion, Municipality of Vigan, Province of Ilocos Sur. Bounded on the NE., by Lot 1390; on the SE., by Rizal Street; on the SW., by properties of Basilio Plete and Caridad A. Villareal et al; and on the NW., by Lot 1392. Point "1" is S. 65 deg. 01 min. W., 372.52 meters from BLLM 1, Vigan Cadastre, Cad-313-D. Area six hundred forty-five (645) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Ilocos Sur, at its session to be held in the Municipality of Vigan, Province of Ilocos Sur, Philippines, on the 25th day of September, 1975, at 9:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Zoilo Aguinaldo, Judge of said Court, the 15th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
[23, 24] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF LAGUNA  
AND SAN PABLO CITY

Land Registration Case No. N-20  
LRC Record No. N-46853

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. IV-5, Santa Cruz, Laguna; the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor, the Municipal Council, Deogracias de Leon,

Modesto Condenueno, the Heirs of Rev. Benedicto Valencia, Eliseo Castro, Simplicio Poblete, Onofre Ilaos, Silvestre Uriza, Nemedes or Hemedes de Leon, Deomedes Zorilla, Graciano Vicuña and Onofre Lao, Mabitac, Laguna; Esteban Recio, Bruno Rellenas or Releñas and Lope Cadapan, Siniloan, Laguna; Dr. Lauro G. Palileo, 1355 Corrilion Woodrive Conterville, Ohio, 45459 U.S.A.; Enrique Castro, Aniceto Madrigal and Juana Iyusa, Matalatala, Mabitac, Laguna; and to all whom it may concern:

Whereas, an application has been presented to this Court by Edna Valencia y Unson de Palileo, 1355 Corrilion, Woodrive, Conterville, Ohio, 45459 U.S.A. thru Atty. Bernardo V. Cagandahan, Santa Cruz, Laguna, to register and confirm her title to the following properties:

Two (2) parcels of land with the improvements thereon, situated in the Barrio of Matalatala, Municipality of Mabitac, Province of Laguna. The boundaries and areas of said parcels are as follows:

1. A parcel of land (plan Psu-130933). Bounded on the NE., by properties of Modesto Condenueno, Eliseo Castro, Simplicio Poblete and Esteban Recio; on the E., by properties of Onofre Ilaos and Bruno Rellenas or Releñas; on the SE., by properties of Bruno Rellenas or Releñas, Lope Cadapan and the Matalatala River; on the SW., by property of the Municipal Government of Mabitac; on the W., by property of Juana Iyusa; and on the NW., by a creek and properties of Deogracias de Leon and Modesto Condenueno. Point "1" is S. 69 deg. 21 min. W., 3154.00 meters from BLLM 1, Mabitac, Laguna. Area one hundred eighty one thousand eight hundred fifty eight (181,858) square meters, more or less.

2. A parcel of land (plan Psu-130934). Bounded on the N., by property of Deomedes Zorilla; on the NE., by property of Bruno Rellenas or Releñas; on the SW., by property of Onofre Ilaos; and on the NW., by properties of Eliseo Castro, Silvestre Uriza and Nemedes or Hemedes de Leon. Point "1" is S. 68 deg. 46 min. W., 2,512.00 meters from BLLM 1, Mabitac Laguna. Area twenty nine thousand four hundred twenty four (29,424) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Laguna and San Pablo City, at its session to be held in the Municipality of Siniloan, Province of Laguna, Philippines, on the 13th day of October, 1975, at 9:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Florentino M. Villanueva, Judge of said Court, the 12th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest:

GREGORIO BILOG, JR.

Commissioner of Land Registration

By: GREGORIO C. SEMBRANO

[23, 24]

Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF LAGUNA  
AND SAN PABLO CITY

Land Registration Case No. N-21

LRC Record No. N-46854

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Wrks District Engineer, the Highway District Engineer, the District Land Office No. IV-5, Sta Cruz, Laguna; the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor, the Municipal Council, Valeriano Veridiano, Juan Joyosa and Norma de Guzman, Mabitac, Laguna; Demetrio Joyosa, Elpidia V. Vidanes or Vidanis, Niugan, Pililia, Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by Maria Baldemor Vda. de Cadapan and Felimon B. Cadapan, Mabitac, Laguna, thru Atty. Bernardo V. Cagandahan, Santa Cruz, Laguna, to register and confirm their title to the following property:

A parcel of land (plan Psu-228853), with improvements thereon, situated in the Barrio of Catmonan, Municipality of Mabitac, Province of Laguna. Bounded on the NE., by properties of Demetrio Joyosa and Valeriano Veridiano; on the SE., by the Catmonan Creek; on the SW., by property of Juan Joyosa and Elpidia V. Vidanes or Vidanis; and on the NW., by the Catmonan Creek; Point "1" is S. 77 deg 35 min. W., 5614.00 meters from Mabitac Bell Tower, Mabitac, Laguna. Area eighty two thousand six hundred thirty four (82,634) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Laguna and San Pablo City, at its session to be held in the Municipality of Siniloan, Province of Laguna, Philippines, on the 13th day of October, 1975, at 9:00 o'clock in the

forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Florentino M. Villanueva, Judge of said Court, the 12th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest:  
 GREGORIO BILOG, JR.  
 Commissioner of Land Registration  
 By: GREGORIO C. SEMBRANO  
 [23, 24] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
 COURT OF FIRST INSTANCE OF MISAMIS  
 ORIENTAL

Land Registration Case No. N-530  
 LRC Record No. N-46076

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. X-1, Cagayan de Oro City; the Municipal Mayor, the Municipal Council, Hilario Gonzaga, Benito Estrada, Eleno Tagom, Patricio Sabay, Ignacio Lomongo, Catalino Abadoy, Eustaquio Roxas, Antonia or Antonio Apus, Cristino Estrada, Bonifacio Omictin, Loreto Madula, Candelario Batotay, Demetrio Omongos, Perfecto Valle, Margarito Mabala, Anselmo Tagagam, Jose Estrosas, Laguindingan, Misamis Oriental; and to all whom it may concern:

Whereas, an application has been presented to this Court by Diamond Cement & Industrial Corporation, Makati Stock Exchange Building, Ayala Avenue, Makati, Rizal; represented by Antonio Y. Bangoy, thru Atty. Saturnino R. Galeon, Cagayan de Oro City, to register and confirm its title to the following properties:

Two (2) parcels of land with the improvements thereon, situated in the barrio of Tubahon, Municipality of Laguindingan, Province of Misamis Oriental. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 1, portion of Lot 12514, Cad. 237, Cagayan Cadastre, plan SGS-

10-000022 Sheet 1). Bounded on the N., by a public land, properties of Hilario Gonzaga and Benito Estrada; on the E., by properties of Eleno Tagom, Patricio Sabay & Margarito Mabala; on the SE., by properties of Ignacio Lumongo, Catalino Abadoy, Antonia or Antonio Apus and a public land; and on the SW., W. & NW., by a public land. Point "J" is S. 79 deg. 14 min. E., 1,100.51 meters from BBM 39 Cad. 237, Cagayan Cadastre. Area six hundred fifty four thousand nine hundred ninety six (654,996) square meters, more or less.

2. A parcel of land (Lot 2, portion of Lot 12514, Cad. 237, Cagayan Cadastre, SGS-10-000022, Sheet 1). Bounded on the NE., by a public land (portion) Cad. 237 Cagayan Cadastre; on the SE., by properties of Cristino Estrada & a public land vs. Bonifacio Omictin; on the S., by properties of Loreto Madula and Candelario Batotay; on the SW., by a road and properties of Demetrio Omongas; Perfecto Valle, Margarito Mabala and Anselmo Tagagam; and on the NW. by property of Eleno Tagom. Point "1" is S. 81 deg. 38 min. E., 3,346.69 meters from BBM 39, Cad. 237, Cagayan Cadastre. Area three hundred fifty three thousand six hundred twenty three (353,623) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Misamis Oriental, at its session to be held in the City of Cagayan de Oro, Philippines, on the 26th day of August, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Benjamin K. Gorospe, Judge of said Court, the 21st day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest:  
 GREGORIO BILOG, JR.  
 Commissioner of Land Registration  
 By: GREGORIO C. SEMBRANO  
 [23, 24] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
 COURT OF FIRST INSTANCE OF NUEVA  
 ECIJA

Land Registration Case No. Gp-132  
 LRC Record No. N-46975

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Vi-

sayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. III-2, Cabanatuan City; the Municipal Mayor and the Municipal Council, Gapan Nueva Ecija; Catalina Arceo, Brigida Manio, Quintin Fernando, Anselmo Matias, Teodoro Alfonso, Rosario Sta. Maria, Angelo Matias and Myrna Samson, and Nicolas, Gagan, Nueva Ecija; and to all whom it may concern:

Whereas, an application has been presented to this Court by the Iglesia Ni Cristo, represented by Eraño G. Manalo, Executive Minister and Administrator, Corner Central & Commonwealth Avenue, Diliman Quezon City; thru Tafalla, Cruz and Associates, by Atty. Gagarin, Central Commonwealth Avenue, Diliman, Quezon City, to register and confirm its title to the following property:

A parcel of land (Lot 2231, Cad-225, Gapan Cadastre, plan Ap-03-001040, situated in the Barrio of San Nicolas, Municipality of Gapan, Province of Nueva Ecija. Bounded on the N. by property of Angelo Matias; on the NE., by property of Catalina Arceo; on the SE., by Provincial Road; on the SW., by property of Brigida Manio; and on the W., by property of Quintin Fernando. Point "1" is N. 77 deg. 50 min. E., 754.82 meters from MBM 8, Cad-225, Gapan Cadastre. Area nine hundred thirty six (936) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Nueva Ecija, at its session to be held at Branch V, Municipality of Gapan, Province of Nueva Ecija, Philippines, on the 25th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Teofilo Guadiz, Jr. Judge of the said Court, the 18th day of April, in the year 1975.

Attest:

GREGORIO BILOG, JR.

Commissioner of Land Registration

By: GREGORIO C. SEMBRANO

Acting Chief, Docket Division

[23, 24]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF NUEVA  
VIZCAYA

Land Registration Case No. N-209

LRC Record No. N-47003

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. II-3, Bayombong, Nueva Vizcaya; the Municipal Mayor, the Municipal Council, Juan Portillo, Alenjandro S. Peralta, Pantaleon Sinuldong, Tomasa Escobido, Garlina V. Naldo and Wilhelmina Madilar, Aritao, Nueva Vizcaya; and to all whom it may concern:

Whereas, an application has been presented to this Court by Guillermo Peros, Aritao, Nueva Vizcaya, thru Atty. Luis C. Rañon, Bambang, Nueva Vizcaya, to register and confirm his title to the following property:

A parcel of land (Lot 1, plan Psu-2-03-000214), situated in the Poblacion, Municipality of Aritao, Province of Nueva Vizcaya. Bounded on the NE., by property of Pantaleon Sinuldong; on the SE., by a Road; on the SW., by property of Tomasa Escobido; and on the NW., by properties of Juan Portillo and Alenjadro S. Peralta. Point "1" is N. 44 deg. 08 min. E., 154.70 meters from BLIM No. 1, Aritao, Nueva Vizcaya. Area two hundred twenty two (222) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Nueva Vizcaya, at its session to be held in the Municipality of Bayombong, Province of Nueva Vizcaya, Philippines, on the 16th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Jesus P. Arlegui, Judge of said Court, the 1st day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest:

GREGORIO BILOG, JR.

Commissioner of Land Registration

By: GREGORIO C. SEMBRANO

Acting Chief, Docket Division

[23, 24]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF NUEVA  
VIZCAYA

Land Registration Case No. N-210  
LRC Record No. N-47004

NOTICE OF HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. II-3, Bayombong, Nueva Vizcaya; the Municipal Mayor; the Municipal Council, Liberato Oasay, Agustin Cardenas, Mariano Arellano and the Heirs of Francisco Valera, Bambang, Nueva Vizcaya, and to all whom it may concern:

Whereas, an application has been presented to this Court by Cecilia Bautista Vda. de Valera, Bambang, Nueva Vizcaya, thru Atty. Vicente V. Duque, Bayombong, Nueva Vizcaya, to register and confirm her title to the following property:

A parcel of land (plan Psu-2-03-000007), with the building and improvements thereon, situated in the Poblacion, Municipality of Bambang, Province of Nueva Vizcaya. Bounded on the N., by San Fernando Street; on the E., by property of Liberato Oasay; on the SE., by property of Agustin Cardenas; and on the W., by property of Mariano Arellano. Point "1" is N. 35 deg. 45 min. E., 521.22 meters from BLLM 1, Bambang, Nueva Vizcaya. Area six hundred eight (608) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Nueva Vizcaya, at its session to be held in the Municipality of Bayombong, Province of Nueva Vizcaya, Philippines, on the 25th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Honorable Judge of the First Branch of said Court, the 7th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
Acting Chief, Docket Division  
[23, 24]  
085054—11

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF PAMPANGA

Land Registration Case No. N-73-103-M  
LRC Record No. N-46988

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, and the District Land Office No. III-1, San Fernando, Pampanga; the Municipal Mayor of the Municipal Council, the Roman Catholic Church % the Parish Priest, Macabebe, Pampanga; and to all whom it may concern:

Whereas, an application has been presented to this Court by the spouses Baldomero V. Puno and Merced M. Santuengco, San Isidro, Macabebe, Pampanga, to register and confirm their title to the following property:

A parcel of land (Lot 643, Cad-378 D, Macabebe Cadastre plan Ap-22463), situated in the Barrio of San Isidro, Municipality of Macabebe, Province of Pampanga. Bounded on the N., by property of the Heirs of Urbano Leyson; on the SE., by the Roman Catholic Church; on the S., by property of Domingo Sangil; and on the NW., by a Barrio Road. Point "1" is S. 15 deg. 49 min. E., 448.96 meters from BLLM 1, Cad 378-D, Macabebe Cadastre. Area six hundred twelve (612) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Pampanga, at its session to be held in the Old Court Building, Municipality of San Fernando, Province of Pampanga, Philippines, on the 29th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Lorenzo R. Mosqueda, Presiding Judge, Branch VII, of said Court, the 21st day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
Acting Chief, Docket Division  
[23, 24]



REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF PAN-  
GASINAN

Land Registration Case No. D-1430  
LRC Record No. N-46721

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the 1st Pangasinan Highway District Engineer, Lingayen, Pangasinan; the District Land Office No. 1-7, and The Branch Manager, Development Bank of the Philippines, Dagupan City; the Municipal Mayor and the Municipal Council, Sta. Barbara, Pangasinan; Sinfroso Padilla, Amado Mamaril, Rosita Abrigo, Juanita Tirao, Eduardo Capua and Prodenia Capua, Barrio Patayac, Sta. Barbara, Pangasinan; Jose Siapno, Lasip Grande, Dagupan City; and to all whom it may concern:

Whereas, an application has been presented to this Court by Felipe Capua, Barrio Patayac, Sta. Barbara, Pangasinan; to register and confirm his title to the following properties:

Two (2) parcels of land situated in the Barrio of Patayac, Municipality of Sta. Barbara, Province of Pangasinan. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 1, plan Psu-1-001375). Bounded on the NE., by properties of Rosita Abrigo and Juanita Tirao et al; on the SE., by property of Jose Siapno; on the SW., by a Barrio Road; and on the NW., by Amado Mamaril. Point "1" is S. 4 deg. 21 min. E., 3,229.49 meters from BLBM 2, Sapang, Sta. Barbara, Pangasinan. Area one thousand three hundred ninety five (1,395) square meters, more or less.

2. A parcel of land (Lot 2, plan-Psu-001375). Bounded on the NE., by a Barrio Road; on the SE., by property of Eduardo Capua; on the SW., by property of Prodenia Capua; and on the NW., by property of Amado Mamaril. Point "1" is S. 4 deg. 14 min. E., 3,238.00 meters from BLBM 2, Sapang, Sta. Barbara, Pangasinan. Area one thousand seventy-two (1,072) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Pangasinan, at its session to be held in the City of Dagupan, Philippines, on the 18th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have,

why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Willelmo C. Fortun, District Judge of said Court, the 11th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest:

GREGORIO BILOG, JR.

Commissioner of Land Registration

By: GREGORIO C. SEMBRANO

[23, 24]

Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF PAN-  
GASINAN

Land Registration Case No. N-3369  
LRC Record No. N-46884

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the 1st Pangasinan Highway District Engineer, the Municipal Mayor, the Municipal Council, Filomena Sevidal and Ireneo Baltazar, Lingayen, Pangasinan; the District Land Office No. 1-7 Dagupan City; Josefina Estayo, Artacho St. Lingayen, Pangasinan; and Nerza C. la Torre, 28 Tirad Pass, Calocan City; and to all whom it may concern:

Whereas, an application has been presented to this Court by Jesus S. la Torre, 28 Tirad Pass, Calocan City, to register and confirm his title to the following property:

A parcel of land (plan-Psu-228230), situated in the Poblacion, Municipality of Lingayen, Province of Pangasinan. Bounded on the NE., by properties of Filomena Sevidal and Ireneo Baltazar; on the SE., by the Provincial Road; on the SW., by property of Josefina Estayo; and on the NW., by Malvar Street. Point "1" is N. 57 deg. 07 min. E., 364.36 meters from BLBM 2, Lingayen, Pangasinan. Area four hundred sixty-two (462) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Pangasinan, at its session to be held in the Municipality of Lingayen, Prov-



ince of Pangasinan, Philippines, on the 19th day of September, 1975, at 8:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Romeo D. Magat, Judge of said Court, the 31st day of March, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest:  
 GREGORIO BILOG, JR.  
 Commissioner of Land Registration  
 By: GREGORIO C. SEMBRANO  
 Acting Chief, Docket Division  
 [23, 24]

REPUBLIC OF THE PHILIPPINES  
 COURT OF FIRST INSTANCE OF QUEZON

Land Registration Case No. G-207  
 LRC Record No. N-46973

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Lucena City; the District Land Office No. IV-6, Baler, Quezon; the Municipal Mayor, the Municipal Council, Lupe Hervera, Ciriaca Barrantes; Ciriaco Tapan, Guillermo Tarraco or Tarranco, Bernardino Tapan, Melchor or Melher Rosas, Lucia Golondrina, Aniana Villabroza, the Minister, Methodist Church, Antonia Aumentado, R. Baldomino and Venancio Abcede, Alabat, Quezon; and to all whom it may concern:

Whereas, an application has been presented to this Court by Romualdo Luna, Alabat, Quezon, thru Atty. Angeles N. Hirang, Alabat, Quezon, to register and confirm his title to the following properties:

Two (2) parcels of land, situated in the Poblacion, Municipality of Alabat, Province of Quezon. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 1, plan Psu-251207, Sheet 1). Bounded on the NE., by property of Ciriaco Barrantes; on the SE., by property of

Ciriaco Tapan; on the SW., by Caparros Street; and on the NW., by property of Lupe Hervera. Point "1" is N. 48 deg. 30 min E., 175.32 meters from BLM 2, Alabat, Quezon. Area fifty nine (59) square meters, more or less.

2. A parcel of land (Lot 2, plan Psu-251207, Sheet 1). Bounded on the NE., by property of Bernardino Tapan; on the SE., by Calderon Street; on the SW., by Caparros Street; and on the NW., by properties of Guillermo Tarraco or Tarranco and Melchor or Melher Rosas. Point "1" is N. 43 deg. 44 min. E., 185.14 meters from BLM 2, Alabat, Quezon. Area two hundred sixty four (264) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Quezon, at its session to be held in the Municipality of Gumaca, Province of Quezon, Philippines, on the 16th day of September, 1975 at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Juan B. Montecillo, Judge of said Court, the 21st day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest:  
 GREGORIO BILOG, JR.  
 Commissioner of Land Registration  
 By: GREGORIO C. SEMBRANO  
 Acting Chief Docket Division  
 [23, 24]

REPUBLIC OF THE PHILIPPINES  
 COURT OF FIRST INSTANCE OF QUEZON

Land Registration Case No. G-208  
 LRC Record No. N-46974

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Lucena City; the District Land Office No. IV-6, Baler, Quezon; the Municipal Mayor, the Municipal Council, Valentin Tolentino, Gerarda Luna the Heirs of Eduardo Tolentino and Antonio

Ursolino, Alabat, Quezon; and to all whom it may concern:

Whereas, an application has been presented to this Court by the spouses Roito Hirang and Angeles Nera-Hirang Alabat, Quezon, thru Atty. Angeles Nera-Hirang, Alabat, Quezon, to register and confirm their title to the following property:

A parcel of land (plan Psu-43187), situated in the Poblacion, Municipality of Alabat, Province of Quezon. Bounded on the NE., by Mabini Street; on the SE., by Burgos Street; on the SW., by the Pacific Ocean; and on the NW., by property of Gerarda Luna. Point "1" is N. 79 deg. 57 min. W., 160.72 meters from BLLM 1, Alabat, Quezon. Area two hundred twenty three (223) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Quezon, at its session to be held in the Municipality of Gumaca, Province of Quezon, Philippines, on the 16th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Juan B. Montecillo, Judge of said Court, the 21st day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
[23, 24] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF QUEZON

Land Registration Case No. 205-G  
LRC Record No. N-46978

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Lucena City; the District Land Office No. IV-6, Baler, Quezon; the Municipal Mayor, the Municipal Council, Pedro Carabit or Carabot, Fausto

Lorio and Iluminada Gutierrez, San Narciso, Quezon; and to all whom it may concern:

Whereas, an application has been presented to this Court by Marcos Rellesiva, San Narciso, Quezon, thru Atty. Natalio T. Paril Jr., Gumaca, Quezon, to register and confirm his title to the following property:

A parcel of land (plan Psu-226495), with the building and improvements thereon, situated in the Pablacion, Municipality of San Narciso, Province of Quezon. Bounded on the N., by property of Pedro Carabit or Carabot; on the E., by property of Fausto Lorio; on the S., by Aurora Street; and on the W., by San Jose Street. Point "1" is S. 47 deg. 07 min. E., 57.69 meters from BLLM 2, San Narciso Public Land Subdivision, PLs-413-D. Area one hundred eighty one (181) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Quezon, at its session to be held in the Municipality of Gumaca, Province of Quezon, Philippines, on the 16th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Mapalad A. Nañadiego, Judge of said Court, the 21st day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
[23, 24] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No. N-8624  
LRC Record No. N-46500

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the District Land Office No. IV-1, 757 Gen. Solano, San Miguel, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works Dis-

trict Engineer, the Highway District Engineer, the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor, and the Municipal Council, Antipolo, Rizal; Isidro Sierra, Santiago Marquez, Lourdes Guevarra % Exequiel San Juan, Esperanza Carreon, Atilano de Jesus, M. L. Quezon St., Antipolo, Rizal; Pedro Pedragoza dela Virgin Ext., Antipolo, Rizal; Marta Beltran, C. Lewis St., Antipolo, Rizal; Miguel Lindo, Sto. Niño St. Antipolo, Rizal; Cornelio Maricaban, Saguimsim St., Antipolo, Rizal; Apolonio Olayvar and Rodolfo Zapanta, A. Bonifacio St., Antipolo, Rizal; Carmen Medina, Benigno Santos, Manuel Guevarra, Belen Aldava, Carigma St., Antipolo, Rizal; Francisco Lindo, Valentin Jocson and Jorge P. Ahern, Sta. Cruz, dela Paz, Antipolo, Rizal; Gervacio Sierra, General Luna St., Antipolo, Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by Agapito Tuazon, Carigma St., Antipolo, Rizal, to register and confirm his title to the following property:

1. A parcel of land (plan Psu-04-001014), situated in the Barrio of Sta. Cruz, Municipality of Antipolo, Province of Rizal. Bounded on the N., by property of Agapito Tuazon; on the E., by property of Pedro Pedragoza; on the S., by property of Marta Beltran; and on the SW., by property of Gervacio Sierra (before) Isidro Sierra (now). Point "1" is N. 23 deg. 57 min. W., 1,845.99 meters from BLLM 1, Antipolo, Rizal. Area six hundred forty eight (648) square meters, more or less.

2. A parcel of land (Lot 1, plan Psu-171041 Amd.), situated in the Barrio of Sta. Cruz, Municipality of Antipolo, Province of Rizal. Bounded on the N., by properties of Miguel Lindo and Cornelio Maricaban; on the E., by Lots 5, 2, 3 and 4; on the S., by property of Agapito Tuazon; and on the SW., by property of Gervacio Sierra. Point "1" is N. 21 deg. 13 min. W., 1,939.55 meters from BLLM 1, Antipolo, Rizal. Area ten thousand six hundred forty seven (10,647) square meters, more or less.

3. A parcel of land (plan Psu-001628), situated in the Poblacion, Municipality of Antipolo, Province of Rizal. Bounded on the N., by Carigma Street; on the E., by properties of Santiago Marquez, Esperanza Carreon and Atilano de Jesus; on the S., by properties of Lourdes Guevarra and Santiago Marquez (before) Agapito Tuazon (now); and on the W., by property of Santiago Marquez (before) Agapito Tuazon (now). Point "1" is N. 27 deg. 08 min. W., 209.61 meters from BLLM 3, Antipolo, Rizal. Area four hundred seventy-seven (477) square meters, more or less.

085054—12

You are hereby cited to appear before the Court of First Instance of Rizal, at its session to be held at the Fifth Floor, Margarita Building, J. P. Rizal Avenue, corner Cardona St., Municipality of Makati, Province of Rizal, Philippines, on the 15th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Florelia Castro-Bartolome, Judge of said Court, the 18th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest:

GREGORIO BILOG, JR.

Commissioner of Land Registration

By: GREGORIO C. SEMBRANO

Acting Chief, Docket Division

[23, 24]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No. N-8688  
LRC Record No. N-46502

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the District Land Office No. IV-1, 757 Gen. Solano, San Miguel, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor and the Municipal Council, San Mateo, Rizal; Vicente del Rosario, Leon Manuel Brigida Manahan, Ismael Amado, Benedicta Alberto, Teofila Santos, Conrado San Andres, Matias Manuel, Francisco Manuel, Felix Agustin, Sixto Angeles and Felix Santos, Poblacion, San Mateo, Rizal; Feliciano Amado, Jose Cruz, Lope Cruz and Domingo San Andres, Ampid, San Mateo, Rizal; Flaviana Salamat, Adriana Atanacio, Venancio de la Cruz, Benito de la Cruz, Gavino de Leon, Eduardo de la Cruz, Antonino San Pedro, Jose Antonio, Placido Cruz, Julian del Rosario, Vicente Santiago and Ismael Amado, Sta. Ana, San Mateo, Rizal; Vicente Santiago, Felix Santos, Martin

Angeles, Victoriano Mateo, Pedro Fernando, Dulong Bayan, San Mateo, Rizal; the Municipal Mayor and the Municipal Council, Montalban, Rizal; Isabel Manahan, Vicente Santiago, Ismael Amado and Miguel Cristi, Burgos, Montalban, Rizal; Jose Cordero, 68 4th Street, New Manila, Quezon City; and to all whom it may concern:

Whereas, an application has been presented to this Court by Celsa M. Santiago, 1477 Peñafrancia, Paco, Manila and Isabel Lilia S. Cordero, 68 4th Street, New Manila, Quezon City; assisted by Atty. Mamerta A. Abano, Meycauayan, Bulacan; to register and confirm their title to the following properties:

1. A parcel of land (Lot 575, Cad. 375-D, San Mateo Cadastre, plan Ap-04-000372), situated in the Barrio of Ampid, Municipality of San Mateo, Province of Rizal. Bounded on the NE., by property of Feliciano Amado; on the SE., by a creek; on the SW., by a creek and property of Domingo San Andres; and on the NW., by a creek and properties of Lope Cruz, Jose Cruz and Feliciano Amado. Point "1" is S. 11 deg. 40 min. W., 1,938.16 meters from BLLM 1, Cad. 375-D, San Mateo Cadastre. Area forty six thousand six hundred thirty-two (46,632) square meters, more or less.

2. A parcel of land (plan Psu-114080), situated in the Barrio of Sta. Ana, Municipality of San Mateo, Province of Rizal. Bounded on the NE., by property of Flaviana Salamat; on the E., by properties of Adriana Atanacio, Venancio de la Cruz, Benito de la Cruz, Gavino de Leon, Eduardo de la Cruz, Antonino San Pedro, Jose Antonio, Placido Cruz and Julian del Rosario; on the SW., by properties of Julian del Rosario and Antonino San Pedro; and on the NW., by property of Ismael Amado. Point "1" is N. 86 deg. 34 min. W., 362.89 meters from BLLM 2, San Mateo, Rizal. Area fifteen thousand five hundred fifty eight (15,558) square meters, more or less.

3. A parcel of land (Plan Psu-144559) situated in the Barrio of Burgos, Municipality of Montalban, Province of Rizal. Bounded on the NE., by property of Vicente Santiago; on the SE., by properties of Vicente Santiago and Ismael Amado; and on the S. and W. by property of Miguel Cristi. Point "1" is S. 44 deg. 37 min. W., 1,512.63 meters from BLLM 2, Montalban, Rizal. Area five thousand eight hundred thirty six (5,836) square meters, more or less.

4. A parcel of land (Lot 1, plan Psu-114078), situated in the Poblacion, Municipality of San Mateo, Province of Rizal. Bounded on the NE., by properties of Leon, Manuel, Brigida Manahan, Ismael Amado & Benedicta Alberto and Teofila Santos; on the E., by properties of Teofila Santos,

Conrado San Andres, Matias Manuel and Francisco Manuel; on the SE., by the Provincial Road; and on the SW., by property of Felix Agustin and the Maly River. Point "1" is N. 37 deg. 14 min. E., 1,607.56 meters from BLLM 2, San Mateo, Rizal. Area five thousand four hundred ninety seven (5,497) square meters, more or less.

5. A parcel of land (Lot 2, plan Psu-114078), situated in the Poblacion, Municipality of San Mateo, Province of Rizal. Bounded on the NE., and SW., by the Maly River; on the SE., by the Maly River and property of Felix Santos; and on the NW., by properties of the Municipal Government of San Mateo and Sixto Angeles. Point "1" is N. 35 deg. 09 min. E., 1,591.74 meters from BLLM 2, San Mateo, Rizal. Area twenty two thousand five hundred eighty (22,580) square meters, more or less.

6. A parcel of land (plan Psu-184698), situated in the Barrio of Dulong Bayan, Municipality of San Mateo, Province of Rizal. Bounded on the NE., by properties of Vicente Santiago; on the E., by property of Felix Santos; on the SW., by property of Vicente Santiago (claimed by Pedro Fernando et al; and on the W., by property of Victoriano Mateo. Point "1" is N. 31 deg. 32 min. E., 1,498.66 meters from BLLM 2, San Mateo, Rizal. Area five hundred seventy four (574) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Rizal, at its session to be held at Branch XI, Municipality of Pasig, Province of Rizal, Philippines, on the 30th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Ricardo L. Pronove, Jr., Judge of said Court, the 15th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest:

GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO  
Acting Chief, Docket Division

[23, 24]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No. N-8758  
LRC Record No. N-46970

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the District Land Office No. IV-1, 757 Gen. Solano, San Miguel, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor, the Municipal Council, Candido Voluntad, Basilio Pasay, Cardona, Rizal; Zoilo Estrella, the Heirs of Candido Voluntad, Benedicto San Juan, Cresencio San Jose, Leon de los Santos, Eduardo Pantaleon, % Estelita Pantaleon, Dalig, Cardona, Rizal; Placida Ocampo, Kababan, Concepcion St., Dalig, Cardona, Rizal; Agustin Umali, Liwanag St., Cardona, Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by Lope Jota, Kababan, Concepcion St., Dalig, Cardona Rizal, assisted by Atty. Apolinar R. Mangahas, 52-D Rosario, Pasig, Rizal, to register and confirm his title to the following property:

A parcel of land (plan (LRC) Psu-425), with the building and improvements thereon, situated in the Barrio of Dalig, Municipality of Cardona, Province of Rizal. Bounded on the NE., by properties of Cresencio San Jose and Agustin Umali; on the SE., by property of Candido Voluntad; on the SW., by property of Zoilo Estrella; and on the NW., by the Barrio Road. Point "1" is S. 32 deg. 02 min. E., 611.48 meters from BLLM No. 2, Mun. of Cardona. Rizal. Area nine hundred fifteen (915) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Rizal, at its session to be held at Branch XXI, Municipality of Pasig, Province of Rizal, Philippines, on the 11th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Gregorio G. Pineda, Judge of said Court, the 10th day of April, in the year 1975.  
Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
Acting Chief, Docket Division  
[23, 24]

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No. N-8767  
LRC Record No. N-46984

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the District Land Office No. IV-1, 757 Gen. Solano, San Miguel, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor, the Municipal Council, Pablo Fernando, Araceli Lorenzo, Felisa Baltazar, San Mateo, Rizal; Josefina Torres, 7 M. H. del Pilar Street, San Mateo, Rizal; Ceferino Torres, Valentin del Rosario and Ceferino Lorenzo, M. H. del Pilar Street, San Mateo, Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by Iluminado Mariano, 7 M. H. del Pilar Street, San Mateo, Rizal, thru Atty. Ernesto V. Encarnacion, 1502 Mendoza, Makati, Rizal, to register and confirm his title to the following property:

A parcel of land (Lot 1362, Cad. 375-D, San Mateo Cadastre, plan Ap-04-000232), with the building and improvements thereon, situated in the Poblacion, Municipality of San Mateo, Province of Rizal. Bounded on the N., by M. H. del Pilar Street; on the E., by property of Pablo Fernando; on the S., by property of Araceli Lorenzo; and on the W. by property of Felisa Baltazar. Point "1" is S. 76 deg. 26 min. E., 87.31 meters from BLLM 1, Cad. 375-D, San Mateo Cadastre. Area two hundred forty five (245) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Rizal, at its session to be held at the Hall of Justice, Provincial Capitol Compound, Municipality of Pasig, Province of

Rizal, Philippines, on the 29th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Guardson R. Lood, Presiding Judge Branch VI of said Court, the 21st day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
[23, 24] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No. N-8772  
LRC Record No. N-46992

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the District Land Office No. IV-1, 757 Gen. Solano, San Miguel, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor, the Municipal Council, Pilar Manahan, Fidela Ayuson, Jose Bautista, Mariano Ramos, Dorotea Cruz, Montalban, Rizal; Juan Bautista, Cornelio Bautista, Jose Bautista, Catalina Ayuson, Ceferino Ayuson, Gregorio de Rueda, M. H. del Pilar Street, San Rafael, Montalban, Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by Cornelio Bautista, Montalban, Rizal, thru Atty. Romeo G. Velasquez, 360 David Street, Escolta, Manila, to register and confirm his title to the following properties.

Three (3) parcels of land with the improvements thereon, situated in the Barrio of San Rafael, Municipality of Montalban, Province of Rizal. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 1, plan Psu-228983). Bounded on the NE., by Lot 2 and Lot 3 (claimed by Fidela Ayuson); on the SE., by properties of Fidela Ayuson and Pilar Manahan; on the S., by the Provincial Road; and on the NW., by properties of Mariano Ramos and Jose Bautista and Lot 2. Point "1" is N. 69 deg. 07 min. E., 1,147.16 meters from BLLM 1, Montalban, Rizal. Area one thousand three hundred seventy four (1,374) square meters, more or less.

2. A parcel of land (Lot 2, plan Psu-228983). Bounded on the NE., and NW., by property of Jose Bautista; on the SE., by Lot 3, (claimed by Fidela Ayuson) and Lot 1; and on the SW., by Lot 1. Point "1" is N. 69 deg. 19 min. E., 1,172.73 meters from BLLM 1, Montalban, Rizal. Area sixty two (62) square meters, more or less.

3. A parcel of land (Lot 3, plan Psu-228983). Bounded on the NE. and SE., by property of Fidela Ayuson; on the SW., by Lot 1; and on the NW., by Lot 2. Point "1" is N. 69 deg. 19 min. E., 1,172.73 meters from BLLM 1, Montalban, Rizal. Area two (2) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Rizal, at its session to be held at the Branch XV, 5th Floor, Margarita Building, J. Rizal Street, corner Cardona Street, Municipality of Makati, Province of Rizal, Philippines, on the 30th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Florelia Castro-Bartolome, Judge of said Court, the 11th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest: GREGORIO BILOG, JR.  
Commissioner of Land Registration  
By: GREGORIO C. SEMBRANO  
[23, 24] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No. N-8783  
LRC Record No. N-46999

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the District Land Office No. IV-1, 757 Gen. Solano, San Miguel, Manila; the Director, Bureau of

Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor, the Municipal Council, Geronimo or Geronima Gocco, Marcelino Leonardo, Severino de la Cruz and E. C. Paz, Las Piñas, Rizal; Felix G. Landicho, Raclangan and Talon, Las Piñas Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by B. F. Homes Inc., represented by its Vice-President, Roberto C. Sicam, Jr., First B.F. Condominium, Intramuros, Manila, thru De Santos, Balgos & Perez by Atty. Marcial O.T. Balgos, 308-311 Doña Narcisa Building, Paseo de Roxas, Makati, Rizal, to register and confirm its title to the following property:

A parcel of land (plan Psu-04-002091), with the improvements thereon, situated in the Barrio of Raclangan & Talon, Municipality of Las Piñas, Province of Rizal. Bounded on the NE., by properties of Geronimo or Geronima Gocco (before) and B.F. Homes Inc. (now); on the SE. and S., by property of Marcelino Leonardo (before) B.F. Homes Inc. (now); on the SW., by an existing Road; and on the NW., by properties of Geronimo or Geronima Gocco (before) B.F. Homes Inc. (now). Point "1" is S. 15 deg. 45 min. E., 5,786.72 meters from BLLM 1, Cad. 299, Parañaque Cadastre. Area fourteen thousand four hundred thirty seven (14,437) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Rizal, at its session to be held at Branch XXII, 2nd Floor, Justice Hall Building, Capitol Compound, Municipality of Pasig, Province of Rizal, Philippines, on the 30th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Nicanor S. Sison, Judge of said Court, the 22nd day of April, in the year 1975.

Issued at Quezon City, Philippines, this 12th day of May, 1975.

Attest:

GREGORIO BILOG, JR.  
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO

[23, 24] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES  
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No-8401

LRC Record No. N-47049

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the District Land Office No. IV-I, 757 Gen. Solano, San Miguel, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor, the Municipal Council, Claro Sandoval, Heirs of Justa Desiderio and Jose Desiderio, San Mateo, Rizal; Remedios Santos, Rosita Santos, c/o Remedios Santos, Gen. Luna St., San Mateo, Rizal; Melanio Santos, Jr., Magdalena, Laguna; Nieves Sandoval, Kambal Road, Guitnangbayan, San Mateo, Rizal; Alfonso Manuel, Maly, San Mateo, Rizal; Dra. Adelaida delos Angeles, Leonora delos Angeles, Josefina delos Angeles and Nany delos Angeles, 279 F. Roman St., San Juan, Rizal; Constancio San Andres, 420 Constanca St., Sampaloc, Manila; Margarita Cruz, Vda. de Valerio, M. H. del Pilar, Guitnangbayan, San Mateo, Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by Paz Joalingco, 420 Constanca Street, Sampaloc, Manila; thru Atty. Bartolome de Vera, San Mateo, Rizal, to register and confirm her title to the following property:

A parcel of land (Lot 2, plan Psu-217139), situated in the Barrio of Guinayang, Municipality of San Mateo, Province of Rizal. Bounded on the NE. by a Creek (Dry) and property of Consolacion Santos; on the SE. by properties of Alfonso Manuel and the Heirs of Justa Desiderio; on the SW. by properties of Margarita Cruz Vda. de Valerio and the Heirs of Dionisio Sandoval; and on the NW. by properties of the Heirs of Sixto delos Angeles. Point "1" is N. 51 deg. 08 min. E., 2,058.15 meters from BLLM 1, San Mateo, Rizal. Area three thousand nine hundred forty one (3,941) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Rizal, at its session to be held in the Municipality of Pasig, Province of Rizal, Philippines, on the 17th day of October, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the

time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Carolina C. Griño-Aquino, Judge of said Court, the 15th day of May, in the the year 1975.

Issued at Quezon City, Philippines, this 26th day of May, 1975.

Attest:

GREGORIO BILOG, JR.  
Commissioner of Land Registration

[23, 24] .  
By: GREGORIO C. SEMBRANO  
Acting Chief Docket Division



**Kawanihan ng mga Lupain**  
(BUREAU OF LANDS)

**[THIRD PUBLICATION]**

**SALE OF PUBLIC LANDS**

Notice is hereby given that the Bureau of Lands at Kidapawan, North Cotabato will sell through oral bidding to the highest bidder at 10:00 o'clock A.M. on July 21, 1975 the tract of land described below:

*Location of Land:* Kabakan, North Cotabato

*Description:* Lot No. 95, Ts-266

*Area:* 300 square meters

*Appraised Value of Land:* P3.00 per square meter

*Value of Existing Improvements:* P2,020.00—  
house and clearing

*Applied for:* M.S.A. No. (VIII-5)520 Fortunato Salcedor, Jr.

In order that a person may be entitled to participate in the bidding, he must, before the commencement of the same, make deposit of at least ten percent (10%) of the appraised value of the land. During the bidding, the bidder has to make an additional deposit everytime his bid is raised to complete the 10% of his raised bid; otherwise, such bid as raised shall not be accepted. Only deposit in cash, money order, treasury warrant, certified check, cashier's check or manager's check can be accepted.

The successful bidder if other than the applicant must reimburse the latter of the value of the improvements and the expenses for the publication of the notice of auction.

The right is reserved to reject any or all bids.

Manila, April 18, 1975.

(Sgd.) RAMON N. CASANOVA

[22-27]

Director of Lands

**[FOURTH PUBLICATION]****SALE OF PUBLIC LANDS**

Notice is hereby given that the Bureau of Lands at Baler, Quezon, will sell to the highest qualified bidder at ten o'clock (10:00) A.M. on July 23, 1975; the tract of land covered by Sales Application No. (III-10)124 of GABRIEL AMPONGET

*Location:* Maria Aurora, Quezon

*Description:* Lot No. 167, Pls-267

*Area:* 3.0000 hectares

*Appraised value of land:* P100.00 per hectare

*Appraised value of improvements:* P850.00—  
house, coconuts, coffee, etc.

All bids must be sealed and submitted to the Bureau of Lands at Baler, Quezon, on or before the hour and date stated above and plainly marked

“Bid for the land described in Sales Application No. (III-10)124”. Bids must be accompanied with cash, money order, treasury warrant, certified check, cashier's check or manager's check for a sum equivalent to 10% of the bid. When a bid is withdrawn after the highest bidder is determined, the corresponding deposit therefor shall be forfeited to the Government. No bid shall be less than the appraised value of the land. The right is reserved to reject any or all bids.

The successful bidder if other than the applicant must reimburse the latter of the value of the improvements and the expenses for the publication of the notice of auction.

Manila, April 15, 1975.

RAMON N. CASANOVA  
Director of Lands

[21-26]

**Bayan ng Malabon**  
(MUNICIPALITY OF MALABON)

**[SECOND PUBLICATION]**

REPUBLIC OF THE PHILIPPINES  
PROVINCE OF RIZAL  
MUNICIPALITY OF MALABON  
OFFICE OF THE MAYOR

**INVITATION TO PRE-QUALIFY BIDDERS**

The Municipality of Malabon will receive pre-qualification forms (Pre C-1 and Pre C-2) duly accomplished from general contractors interested to bid for the construction of the "PROPOSED MALABON CENTRAL MARKET", Malabon, Rizal.

Pre-qualification forms duly accomplished shall be submitted to the Office of the Municipal Engineer, this municipality, not later than 4:00 P.M., June 27, 1975.

*Financial Requirements:*

Cash .....	₱1,000,000.00
Established credit line .....	₱1,000,000.00

Forms and other information regarding the aforesated proposed project may be obtained from the Office of the Municipal Engineer starting 13 June 1975.

(Sgd.) MAYNARDO R. ESPIRITU  
Mayor

[23-25]

**Bayan ng Tarlac**  
(MUNICIPALITY OF TARLAC)

REPUBLIC OF THE PHILIPPINES  
MUNICIPALITY OF TARLAC  
TARLAC

OFFICE OF THE MAYOR

**INVITATION TO PRE-QUALIFY BIDDERS**

The Municipality of Tarlac will receive pre-qualification forms (Pre C-1 and Pre C-2) duly accomplished from general contractors interested to bid for the construction of the "PROPOSED TARLAC PUBLIC MARKET", Tarlac, Tarlac.

Pre-qualification forms duly accomplished shall be submitted to the Office of the Mayor, this municipality, not later than 4:00 P.M., 11 July, 1975.

*Financial Requirements:*

Cash .....	₱750,000.00
Established credit line .....	1,250,000.00

Forms and other information regarding the aforesated proposed project may be obtained from the Office of the Mayor starting 27 June, 1975.

(Sgd.) LINO G. DAVID  
Municipal Mayor

[24-26]

**Lupon ng Pamumuhunan**  
(BOARD OF INVESTMENTS)

**[SECOND PUBLICATION]**

REPUBLIC OF THE PHILIPPINES  
OFFICE OF THE PRESIDENT  
BOARD OF INVESTMENTS  
ORTIGAS BUILDING, ORTIGAS AVENUE  
PASIG, RIZAL, PHILIPPINES

**NOTICE**

Notice is hereby given that pursuant to Section 4 of Republic Act No. 5455, FIRST NATIONAL CITY OVERSEAS INVESTMENT CORPORATION, an American corporation, with office address at A. Soriano Building, Ayala Avenue, Makati, Rizal, % Atty. Hector Martinez, Siquion-Reyna, Montecillo & Ongsiako, has filed with the Board of Investments an application for a license to establish a Philippine branch to manage, supervise and operate its subsidiaries and affiliates and the subsidiaries and affiliates of FNCB, its parent company.

This application shall be considered as approved and such approval shall be effective only after fifteen (15) days from last date of publication and upon submission of proofs of publication of this notice and compliance with the other requirements of R.A. 5455 and its implementing rules and regulations. This is, further, subject to the following conditions:

- 1) That the authority to manage, supervise and operate its subsidiaries and affiliates shall be limited to those firms in which FNCOIC and FNCB have equity investments of at least 30% to protect;
- 2) That the management contracts entered into or to be entered into by applicant firm pursuant to this authority shall be submitted to the Board of Investments and the Central Bank for review and evaluation;
- 3) That the fees stipulated in its management agreement shall from time to time be subject to review by the Board of Investments and the Central Bank for the purpose of determining whether or not the fees may be maintained or reduced as the financial capacity of its firm will permit;
- 4) That it shall submit the required proof of reciprocity; and

- 5) That it shall submit an annual report of its business activities (using the prescribed BOI Form No. 5032) on or before March 31 of each year.

May 22, 1975, Pasig, Rizal, Philippines.

(Sgd.) ROBERTO C. CONCEPCION, JR.  
[23-25] Board Secretary

REPUBLIC OF THE PHILIPPINES  
OFFICE OF THE PRESIDENT  
BOARD OF INVESTMENTS  
ORTIGAS BUILDING, ORTIGAS AVENUE  
PASIG, RIZAL, PHILIPPINES

**NOTICE**

Notice is hereby given that pursuant to Section 4 of Republic Act No. 5455, INTERNATIONAL HAM & SAUSAGE MANUFACTURING Co., a 100% Chinese-owned domestic partnership, with office address at No. 6 Sanciango Street, Malabon, Rizal, has filed with the Board of Investments an application for authority to convert its form of business organization from a partnership to a corporation. The business is capitalized at P1,101,591.97, Philippine currency.

This application shall be considered as approved and such approval shall be effective only after fifteen (15) days from the last date of publication and upon submission of proofs of publication of this notice and compliance with the other requirements of R.A. 5455 and its implementing rules and regulations. This is, further, subject to the following conditions:

- 1) That applicant firm shall submit proofs of dissolution of the partnership, International Ham & Sausage Manufacturing Co.;
- 2) That it shall not increase its production capacity without prior BOI approval; and
- 3) That it shall submit an annual report of its business activities (using the prescribed BOI Form No. 5032) on or before March 31 of each year.

May 26, 1975, Pasig, Rizal, Philippines.

(Sgd.) ROBERTO C. CONCEPCION, JR.  
[23-25] Board Secretary

**[LAST PUBLICATION]**

REPUBLIC OF THE PHILIPPINES  
OFFICE OF THE PRESIDENT  
BOARD OF INVESTMENTS  
ORTIGAS BUILDING, ORTIGAS AVENUE  
PASIG, RIZAL, PHILIPPINES D-721

**NOTICE**

Notice is hereby given that pursuant to Section 4 of Republic Act No. 5455, TE LIONG UN, a citizen of the Republic of China, with office address at Manila Textile Market, Soler Street, Manila, has filed with the Board of Investments an application for a license to engage in the wholesale of general merchandise particularly textile products. The business is capitalized at P63,702.57, Philippine currency, and is actually a continuation of an existing business licensed under the name of his deceased father.

This application shall be considered as approved and such approval shall be effective only after fifteen (15) days from the last date of publication and upon submission of proofs of publication of this notice and compliance with the other requirements of R.A. 5455 and its implementing rules and regulations. This is, further, subject to the following conditions:

- 1) That he shall not expand into another line of business without prior Board approval; and
- 2) That he shall submit an annual report of his business activities on or before March 31 of each year using the prescribed BOI Form No. 5032.

April 7, 1975, Pasig, Rizal, Philippines.

(Sgd.) ROBERTO C. CONCEPCION, JR.  
[22-24] Board Secretary

REPUBLIC OF THE PHILIPPINES  
OFFICE OF THE PRESIDENT  
BOARD OF INVESTMENTS  
ORTIGAS BUILDING, ORTIGAS AVENUE  
PASIG, RIZAL, PHILIPPINES D-721

**NOTICE**

Notice is hereby given that pursuant to Section 3 of Republic Act No. 5455 and Section 2, Rule III, of the Basic Rules and Regulations to Implement the Intent and Provisions of the said Act, W.A. CHITTICK AND COMPANY, a corporation existing under the laws of the Philippines, with business address at Rufino Building, Ayala Avenue, Makati, Rizal, and engaged in electrical, safety and fire protection business, has filed with the Board of Investments an application to accept the permissible investment of James T. Hodge, in the total amount of P217,480.00, Philippine currency.

This application shall be considered as approved and such approval shall be effective only after fifteen (15) days from the last date of publication and upon submission of proofs of publication of this notice and compliance with the other requirements of R.A. 5455 and its implementing rules and regulations. This is, further, subject to the following conditions:

- 1) That the applicant shall not increase its capital stock or expand in other lines of business activities without securing prior BOI authority; and
- 2) That it shall submit an annual report of its business activities (using BOI Form No. 5032) on or before March 31 of each year.

April 16, 1975, Pasig, Rizal, Philippines.

(Sgd.) ROBERTO C. CONCEPCION, JR.  
[22-24] Board Secretary



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Volume 98 .....	64.95	67.10	Public Laws & Resolutions		
Volume 99 .....	67.15	69.45	(Republic Acts Nos. 1202-		
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Volume 109 .....	83.10	86.30	Acts Nos. 2617-3020 (Paper		
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Volume 113 .....	83.90	86.75	(Republic Acts Nos. 2030-		
Volume 114 .....	83.90	86.75	3020) combined in one book,		
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Volume II—Containing Republic			cover) .....	27.20	29.65
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Acts Nos. 591-673 (Paper cover)	7.45	9.20	3845) (Cloth Cover) .....	79.40	83.70
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			Acts Nos. 4173-4641 (Paper		
			cover) .....	37.95	40.60

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